FROM SISSONS TO MEYER

THE ADMINISTRATIVE DEVELOPMENT OF THE YUKON GOVERNMENT 1948 -1979

Yukon
Education
Libraries and Archives Branch

FROM SISSONS TO MEYER

THE ADMINISTRATIVE DEVELOPMENT OF THE YUKON GOVERNMENT

1948-1979

Prepared for the Yukon Archives by Janet Moodie Michael
June 1987

TABLE OF CONTENTS

Introduction ... 3

1 An Emerging Government ... 7

2 The Federal Takeover of Health Care ... 26

3 The Growth of Government ... 38

4 The Development of a Corrections Program ... 58

5 The Reorganization of Government ... 69

6 The Beginnings of Devolution ... 87

7 The Maturing of Government ... 105

8 Political Maturity ... 120

Appendices ... 126

I Administrative Outline, 1948-1979 ... 127

II Commissioners of the Yukon Territory, 1898-1979 ... 154

III Executive Assistants/Assistant Commissioners (Executive), 1950-1979 ... 157

IV Administrative Assistants/Assistant Commissioners (Administrative), 1960-1977 ... 158

V Finances of the Government of Yukon, 1948-1979 ... 159

VI Yukon Government Employees, 1962-1979 ... 161

Bibliography ... 162

INTRODUCTION

In September 1986 the Supreme Court of the Yukon Territory convened to hear an appeal by a Whitehorse man convicted of speeding. What was at issue, however, was far more than the two traffic convictions Daniel St. Jean had received in the summer of 1983. St. Jean was asking the court to rule on whether the Yukon should be officially bilingual -- a question that rested on how the judiciary interpreted the nature of the Government of Yukon. Was it simply an arm of the federal government, or did it have an identity independent of Ottawa?

St. Jean's lawyer argued the telling factor in determining the relationship between the two governments was the section of the Yukon Act that gave the federally-appointed commissioner the power to administer the territory on instructions from the minister of Indian affairs and northern development. This provision made the Yukon government a federal institution, and as such it was bound by the Canadian constitution to provide services in both French and English, including bilingual traffic tickets. [1]

The federal and Yukon governments, on the other hand, took the position that to see the commissioner as an agent of the federal cabinet belied present-day reality. The Yukon had been given responsible government in a letter of instruction to the commissioner in 1979 by the then minister of Indian affairs and northern development, Jake Epp. That letter had bound the commissioner to accept the advice of the elected executive, reducing the commissioner's position to the equivalent of a provincial lieutenant governor. [2]

It was this latter argument that prevailed. In his ruling Mr. Justice Perry Meyer rejected suggestions that the territorial government was a department of either the federal government or the federal Parliament. Instead, he described the Yukon as "an 'infant province' with most but not all the attributes of a true province". [3] The Yukon government survived a judicial test. In the eyes of the court it is a separate and distinct government.

Had Daniel St. Jean taken the issue to court 25 years earlier, he might well have won. In 1962 a civil case was launched in the territorial court over an attempt to garnishee the Yukon government. [4] Again, the question before the court required an interpretation of the status of the territorial government. Mr. Justice J.H. Sissons dismissed the action as well as any notion of a separate government:

> The Yukon is still a Crown Colony. The legislation and administration are controlled by the Dominion Government ... I know of no Government of the Yukon Territory distinct from the Commissioner in Council and the home government of the colony is the Government of Canada. [5]

These divergent judicial statements serve to highlight the theme of this paper: the progression of the territorial administration in the Yukon from a sub-unit of the predecessors of the Department of Indian Affairs and Northern Development to a government in its own right. The origins of a separate administration lie in the days of the Klondike Gold Rush, but the decline in the territory's population, which followed the end of the gold rush, was accompanied by a reduction of government in the territory. The period of late 40's, specifically the year 1948 when the commissioner was reinstated as the head of the Yukon administration, has been taken as a starting point because it marks the beginning of a slow, but steady growth towards a distinct government. The following chapters document the expansion of the territorial government through the 50's, 60's, and 70's and its evolution towards an administration akin to those found in the provinces. The paper concludes with the achievement of responsible government on October 22, 1979 when the Yukon's first wholly elected cabinet was sworn in. This ceremony marked the beginning of a new stage in the territory's development and it is the point where the Yukon government can be seen to be a distinct entity headed by its own political masters.

NOTES

1. *Whitehorse Star*, 25 September 1986, 5.

2. *Ibid*.

3. *St. Jean v. Reg*. (unreported) S.C.Y.T., Meyer J., 26 September 1986.

4. Ken Shortt, *Blueprint for Autonomy: 8 steps to Provincehood for the Yukon Territory* (Whitehorse, 1967).

5. *Ibid*.

CHAPTER 1

An Emerging Government

During the years 1942 and 1943, 20,000 American army troops and construction workers carved a road out of the Yukon wilderness and launched the territory into its second boom. The construction of the Alaska Highway was no less significant for the Yukon than the Klondike Gold Rush which opened the territory at the end of the 1890's. In the closing years of the century gold was the magnet that lured thousands north to seek their fortunes on the creeks near Dawson. Forty years later the highway from Dawson Creek, British Columbia into Alaska acted as a "gravel magnet" drawing people and attention back to a territory that had been almost forgotten in the years that separated the gold rush and the construction project. [1] This magnet helped pull Ottawa's interest northward and end a period in which northern Canada had been administered in "an almost continuing state of absence of mind." [2] In the post-war period this absence of mind was to give way to active involvement as Ottawa exerted its influence towards the building of a modern governmental structure in the Yukon.

Early government in the Yukon

The first burst of federal initiative in the Yukon came with its first boom, the Klondike Gold Rush. A separate territory was created in 1898 in response to the Yukon's growing population and efforts by the North-West Territories government in Regina to lay its hands on some of the profits of the gold rush through the collection of liquor revenues. Commissioner William Ogilvie was sent to Dawson with a civil service to minister to the needs of the fortune-seekers and to collect gold royalties for federal coffers. Under the Yukon Act the commissioner with an appointed council also had the ability to establish a territorial civil service. [3] Four years later a territorial government consisting of six departments was formally recognized in law. [4]

It was in many respects a government on paper only. Of the officials appointed to head the six departments only two, the superintendent of schools and the chief license inspector, were solely territorial employees. The others held comparable jobs within the federal administration in Dawson and drew salaries from both governments. Efforts to reduce the size of government as Dawson's gold production and population dwindled and a push by the first wholly elected council to gain control over the executive arm of government were to result in the separation of the senior federal and territorial functions in the territory by 1912. [5] By then, however, several of the senior territorial jobs had been amalgamated as an austerity measure. [6] Nor was the separation of territorial and federal functions complete; indeed, it was to remain a feature of government in the Yukon for close to seventy years.

A period of eclipse, 1912-1942

The Yukon headed into a thirty-year period of eclipse with only the barest administration. The local affairs of the territory were entrusted to three main officials: the superintendent of public works, the superintendent of schools, who later doubled as the principal of the Dawson school, and the territorial treasurer, who acted as a jack-of-all-trades. In addition to his responsibilities for the territory's finances, he was the territorial secretary, King's printer, clerk of council, and registrar of joint stock companies, as well as the treasurer, clerk, and assessor for the city of Dawson. Government business in Whitehorse and Mayo was handled by a territorial agent who also sold liquor.

In this period of retrenchment the territorial and federal administrations also became more interwoven. The territorial agent and liquor vendor in Whitehorse, Larry Higgins, served as the federal mining recorder from 1938 until 1946. [7] In the 1942-43 fiscal year the work of the Mayo agent and liquor vendor was assigned to the mining recorder in that community as the Treadwell Mining Company moved to close its operations in the area. [8] The federal comptroller also temporarily took on the territorial treasurer's job in the late 20's and early 30's, apparently as a result of difficulties in recruiting a suitable person for the position. [9]

The federal government's operations in the Yukon were no less affected by the decline in territory's population. Positions disappeared or were assigned to other officials. In 1918 the duties and powers of the commissioner were assigned to the gold commissioner, a move designed to save the federal treasury $150,000 annually. [10] The comptroller became the agent for the federal Department of Public Works in 1916; two years later he took over the duties of the inspector of taxation. [11] Finally, the chief executive job was assigned to the comptroller in 1932. [2]

The construction of the Alaska Highway

As the men and machinery began to pour into the Yukon in 1942 to build the Alaska Highway, the territory began its emergence from a period of somnolence. The highway construction did not, however, bring any immediate major readjustments in the government of the territory. The tiny enclave of public servants in Dawson carried on much as it had during the previous years, and much of the increased workload fell on the shoulders of Larry Higgins, who was the territorial agent, liquor vendor, secretary to the hospital board, and mining recorder in Whitehorse. Higgins had enough work to keep three temporary assistants busy during the summer of 1943, and makeshift solutions had to be used when permanent help could not be found. [13] Both Higgins and his wife were working overtime in early 1944 to keep up with the work. [14] The volume of work even took a toll on his health, as in 1942 and again in 1945 when his assistant was away, Higgins fell sick from overwork. [15]

Perhaps the best indication of the growth in the workload facing Higgins comes from the liquor business. In the 1942-43 fiscal year alone sales in Whitehorse increased by almost $400,000 over the previous year. [16] Profits from the territorial liquor trade between 1941 and 1947 increased 264 per cent. [17] In 1947 Controller John Gibben decided to exercise greater control over the liquor business and appointed Higgins as superintendent of liquor control with responsibility for overseeing the liquor vendors in Whitehorse, Mayo, and Dawson. [18] This represents the first significant expansion of the territorial civil service since the gold rush. Higgins was quite naturally stationed in Whitehorse, where the bulk of the liquor was sold and where most of the increased activity in the Yukon was focussed. It was a sign of what was to come for Dawson.

A game department

The increase in population of the Yukon during the construction of the Alaska Highway, while resulting in increased revenues for the territorial treasury, also had negative effects. One of the first recognized concerned the territory's wildlife. In 1942 the controller, using his regulatory powers under the Game Ordinance, allowed American army personnel and workers on the Alaska Highway to obtain resident hunting licenses while engaged in the construction project. By the following year concerns were already surfacing about the wildlife population in the territory. Regulations were passed that summer forbidding any killing of wildlife, whether by hunting or trapping, for one mile on either side of the Alaska Highway and the Haines Road, and Controller George Jeckell ordered the territorial agents and the treasurer not to issue any special licenses for the hunting of caribou for subsistence purposes. [19]

Jeckell was under pressure from Ottawa to act more decisively to preserve the game of the territory. In 1943 an employee of the federal Department of Mines and Resources, Dr. C. H. D. Clark, conducted an investigation of the wildlife populations in northern British Columbia and the Yukon; his report contrasted an abundance of game in B.C. with an apparent scarcity in the Yukon. [20] Clark's recommendations included the hiring of a wildlife technician to collect information on the territory's wildlife. [21] Jeckell balked, calling the report incomplete. [22] He dismissed the idea of a wildlife technician as unjustified and expressed doubts that the council would approve if the position was to be paid for out of territorial funds. [23]

Voices within the Yukon were soon to aid Ottawa's efforts. In 1945 the Yukon Fish and Game Association was formed, and it began to push for amendments to the game ordinance, better enforcement, and the appointment of a fish and game commissioner. [24] A decision to act on the latter suggestion was apparently taken by late 1946 as Acting Controller Gibben informed Ottawa that provision had been made in the estimates for the following year for such an official. [25] But it was the fall of 1949 before Them Kjar, a game officer from Alberta, was hired as the territory's first director of game. The formal creation of a department of game and publicity followed in 1951. [26] These developments did not, however, mean a change in how the game laws were enforced. The RCMP had been carrying out enforcement since the early 1900's, and its officers along with the federal park wardens continued that job for another twenty years. Until the late 1960's the game department consisted of three people: the director, the assistant director, and a secretary.

A concern for sovereignty

Although the years following World War II saw growth in the territorial administration, it was of more importance to the future of the Yukon that the construction of the Alaska Highway brought a renewed federal interest in the region, and it was an interest borne in large measure out of concern for the Canadian sovereignty of the area. As David Judd has commented, "after 1945 Canada went north again as an anxious landlord; nervous about the behaviour of her northern wartime tenants." [27] Nor was it the first time that sovereignty had been a determining factor in federal attitudes about northern Canada. In 1894 the Dominion government had sent NWMP Inspector Charles Constantine to the Yukon to establish a Canadian presence and to replace the rough justice being meted out by the American-dominated miners' meetings. Prime Minister St. Laurent could have been speaking about either 1894 or 1946, when he said:

> ...there have been quite a number of non-Canadians going into the territory. We felt that it was very important to have the situation such that whenever they went there they realized they were in Canadian territory and in territory that was administered by Canadian authorities. [28]

So, in the post-war period, Canada again took steps to strengthen her claim over the north that included the appointment of an experienced diplomat as deputy minister of the Department of Mines and Resources in 1946 and the transfer of responsibility for the Alaska Highway from American hands to the Canadian army. [29] In this context it is not surprising that Ottawa also chose to elevate its chief governmental representative in the Yukon to a position enjoyed before 1918. In June 1948 a bill restoring the commissioner as the chief executive officer of the Yukon received assent [30]; the following month Controller Gibben was named to the post.

Territorial finances

With the renewed interest in the Yukon came the recognition of the need to put the territory on a proper financial footing. Prior to the war expenditures by the territorial administration averaged less than a quarter of a million dollars annually; local revenues coupled with federal grants of about $60,000 had been sufficient to meet the Yukon's modest needs. [31] The war and the construction of the Alaska Highway increased the demand for government services. The population roughly doubled during the period, and so did government spending. [32] During the war the profits from liquor sales were more than enough to meet this growth, and Ottawa's long-standing practice of subsidizing government operations was discontinued. So lucrative was the liquor trade that a quarter of a million dollars had accumulated in a post-war development fund by 1946. [33] In an interview that year Controller Jeckell spoke optimistically about the benefits this fund would bring in the years following the war:

> We firmly believe ... that our policy of investing surplus funds during the war years are paying us good dividends in this post war period. As a result of such policy we are now able to use our accumulated savings to the best possible advantage not only in keeping stride with the present mining revival in the Yukon but as a means of providing post-war employment to a great many of our returned men. [34]

The nest egg did not last long in the face of the new demands for government money. The next year the new controller, John Gibben, asked Ottawa for $180,000 to meet the cost of road maintenance work that had been neglected during the war because of a shortage of men and equipment. [35] The federal government provided $170,000 on the understanding that in 1948 the ad hoc grants to the territory would be abandoned in favour of a more rational system of assistance.

The model chosen for this new, rational system was the tax rental agreement. These agreements, signed with the provinces during the war and renewed with seven provincial governments in 1947, provided for the provinces to vacate certain tax fields in return for federal support. In a like manner the territorial council repealed succession duties and approved the suspension of income tax collection in 1947. [36] It also complied with Ottawa's requirement that it increase its level of taxation to a level comparable with British Columbia by imposing a new amusement tax and doubling the gasoline tax to six cents a gallon. [37] In return the territory received three grants: a guaranteed minimum annual grant, which in 1948 amounted to $89,365, a population subsidy of $6,400, and a subsidy in lieu of grants to the government and the council worth $60,000. The agreement, signed on September 14, 1948, applied retroactively to cover the period from the beginning of the calendar year until the end of 1951.

Circumstances proved the 1948 financial agreement woefully inadequate. By the 1951-52 fiscal year money was so tight that the territorial government had to borrow funds to buy its liquor stock for the following year. [38] The funding provided by the agreement was predicated on the belief that the government's spending on its operations would be between $500,000 and $600,000 annually, but expenditures in each year of the agreement exceeded that expectation. [39] By the 1951-52 fiscal year spending had reached $1,483,829, more than double its predicted level. [40]

In 1951 Ottawa set up a committee to review the 1948 financial agreement and to make recommendations for a new five-year deal. The Interdepartmental Committee on Federal-Territorial Financial Relations sought answers for the jump in spending, which it termed "astonishing". [41] The bulk of the increase was ascribed to three areas: municipal administration, roads and public works, and health and welfare. [42] The committee acknowledged that developments since 1948 had led to the unprecedented growth in government spending. Municipal governments were established in Dawson and Whitehorse in 1950, improved roads and public works were demanded after a period of neglect during the war, and greater social problems were produced by the boom period. But if the committee identified one culprit in its findings, it was welfare costs, which it described as out of proportion to the population. [43] Spending on child welfare had, for example, increased almost sevenfold since 1945. [44] The committee said it could not escape the impression there had been wasteful spending on social services, and it called for greater financial controls. [45]

Social welfare

The committee's report was issued during Frederick Fraser's tenure as commissioner. As a result Fraser attacked welfare spending with the reforming zeal that was generally characteristic of his short period as the territory's chief executive. The arrangement for social assistance payments was altered and more stringent rules applied, including standardized forms, compulsory interviews with territorial agents, and a requirement to renew the assistance every six months. [46] These actions earned the praise of the territorial agent in Mayo, who characterized the previous administration of social assistance as "rather slipshod." [47]

Fraser also wrestled with the problem of rising child welfare costs, which he complained was made worse by parents who placed their children in hostels and then failed to pay the monthly charges, leaving the government with the bills. [48] In an effort to rectify this situation, he ruled that in the future the government would only accept responsibility for fees if a child had been placed in an institution by a court order or with government approval. [49] Fraser, however, still had to deal with the heavy cost of maintaining children already in the government's care, and he decided the solution to this problem was to involve a private agency in the delivery of child welfare services. [50] He encouraged the I.O.D.E. to set up a child welfare society, an effort that paid off in Whitehorse. [51] In 1953 the Children's Aid Society of the Southern Yukon was incorporated. [52] Until 1960 this society handled much of the child welfare work in the territory, at first on a volunteer basis, but beginning in 1955 with the help of a full-time social worker and a government grant.

Fraser's efforts to limit welfare expenditures achieved only limited success. Social assistance expenditures fluctuated during the early 1950's; spending on child welfare dropped for a few years, but by the mid-50's it increased as more children were taken into care. [53] As a sign of the increased workload in the social welfare field, an assistant was hired for the territorial secretary in 1955 to handle this responsibility. The following year the supervisor of welfare, C.B.H. Murphy, set up a separate department.

Reforming the government

Ottawa's interest in the territory's finances extended far beyond social welfare spending. Colonel H.C. Clark, who for years was the financial officer within the Department of Mines and Resources with responsibility for the Yukon, saw the first tax rental agreement in 1948 as "an opportunity to reorganize the financial structure of the Yukon Territory and bring it into accordance with modern practice." [54] Work on this restructuring was underway by 1949, but Ottawa's complaints with the Yukon administration continued. [55] When the federal department sent Fred Fraser to the territory in 1951 to guide the proposed Workmen's Compensation Ordinance through the territorial council, the deputy minister of resources and development, General H.A. Young, asked him to report on the state of the government. By his own admission Fraser's assessment was unflattering, and before the end of the year he was sent back to Dawson as commissioner charged with putting the administration in order. [56]

Within days of his arrival Fraser took steps in this direction. Weekly meetings were organized between himself and the department heads to discuss policy and administrative matters, and he planned a reorganization designed to ensure an efficient administration with a fair distribution of the workload and clear lines of authority. [57] He was also conscious of the need for a greater separation between the federal and territorial administrations in the Yukon. [58] The annual report by the commissioner recognized for the first time in 1952 the split between territorial and federal functions in the territory with separate sections of the report devoted to each government's responsibilities; this was done at Fraser's suggestion. [59]

In this context, his reorganization of the government in the summer of 1952 had an unusual feature. He decided to lessen the workload of the territorial treasurer by restoring to the Yukon administration the post of territorial secretary, a job swallowed up in the streamlining of government in the early part of the century. His choice for a person to fill this position, however, reflected a throwback to practices used in the gold rush period, since he appointed his executive assistant, W.M. Cameron, to the job. [60] Once again a federal employee held a post in the upper echelons of the territorial administration, although the commissioner tried to maintain a polite fiction by stating the territorial secretary was not a federal employee while admitting Cameron received no money for the position. [61] Given Fraser's federal orientation it is difficult to believe that he took this step without Ottawa's approbation or even encouragement. Nor is it difficult to imagine that Ottawa in this period was disinclined to have a federal employee ensconced in an administration it wanted to reform. The territorial council did, however, object. In 1953 it passed a motion calling for a territorial employee to fill the position. [62] Fraser's successor, Wilfred G. Brown, acceded to its wishes, and W. D. Robertson, who had been hired during the 1952 reorganization as the assessor and tax collector for the territory, filled the post.

Control from Ottawa

Fraser marked a new type of commissioner for the Yukon. He and his successors, Wilfred Brown and Frederick H. Collins, were schooled in the Ottawa administration and well-versed in federal desires for the north. [63] Certainly one over-riding characteristic of government in the Yukon during the 1950's was the federal domination of it. The Minister of Resources and Development, Robert Winters, reaffirmed this in his instructions to Fraser in 1952 in which he told the commissioner to keep him abreast of the territory's financial position. [64] The department's deputy minister made it clearer what that involved: matters with policy or financial repercussions were as a matter of course to be referred to Ottawa for comments prior to action. [65] During this period the commissioner administered the territory on instructions from the federal government in the fullest sense.

The move of the territorial capital from Dawson to Whitehorse provides another example of Ottawa's decision-making powers over the Yukon. Rumours of a possible move surfaced in the territory as early as 1946. [66] Although the move was making increasing sense with the growth of Whitehorse and the government structure there, the deputy minister of the Department of Mines and Resources tried to lay Dawson's fears to rest three years later by saying there was "no present intention to move the capital." [67] In late 1950, however, the director of the Development Services Branch of the department told Commissioner Andrew Gibson such a move was being considered and instructed him to prepare estimates on what it would cost. [68] He and any government officials he informed were to keep the matter a secret; not even their families could be told. [69] Four months later, on February 22, 1951, the federal cabinet approved the move of the territorial capital. The news was announced as a fait accompli to the Yukon in March in a letter from the territory's member of Parliament, Aubrey Simmons, published in the Dawson newspaper. [70] Commissioner Gibson was left to organize the mechanics and timing of the move. [71] It was accomplished in March of 1953 "without fanfare or ceremony." [72]

The federal-territorial financial relationship

Ottawa had the legal wherewithal under the Yukon Act to administer the territory through the commissioner. Apart from the constitutional means, however, the federal government drew powerful justification for its control over the territory from the financial arrangement between the two governments. In 1942 the Department of Mines and Resources was taking roughly the same amount of money out of the territory as it was putting in, about $87,000. [73] By 1950 the balance sheet was decidedly lop-sided. The department's revenues from the territory had increased to $190,000, but its expenditures jumped to two and a half million dollars. [74] Given this financial relationship, Ottawa's decision in 1951 to set up a permanent committee to review the financial position of the territory and the attention paid to its recommendations are understandable.

The task of the Interdepartmental Committee on Federal-Territorial Financial Relations involved far more than recommending what money the territory should receive under the five-year financial agreements with Ottawa. The terms of reference for the committee, whose membership was initially drawn from the Department of Resources and Development, the Department of Finance, and the Bank of Canada, included the ability to make recommendations on which government should carry out which functions in the Yukon. [75] As a result of the committee's 1952 report, for example, an assay office that the territory had maintained and funded since 1905 was closed; the committee said it was not an office consistent with the territory's responsibilities. [76] On the other hand, the committee recommended that the Yukon be given specific legal responsibility for hospitals and roads as these were functions it was already carrying out and were those normally performed by provincial governments. [77] This recommendation was embodied in amendments to the Yukon Act passed in 1953. [78]

The Interdepartmental Committee on Federal-Territorial Financial Relations served as an important vehicle for determining the nature of government in the Yukon. It formed part of the firm hand with which Ottawa ruled the territory during this period. With the federal government's decision to abandon its policy of administering the north in "an almost continuing state of absence of mind", the government in the Yukon began to emerge from a lengthy period of retrenchment, and Ottawa used its power to reform and shape it. What stands out about the late 40's and the 50's is the degree to which the federal government desired to take an active role in the administration of the north. This is most clearly exemplified by the transfer of health responsibilities in the 1950's when Ottawa stepped in to actively perform a service that for the bulk of the population had traditionally been provided by the territorial administration.

NOTES

1. The description of the Alaska Highway as a "gravel magnet" is used by Julie Cruikshank in her article "The Gravel Magnet: Some Social Impacts of the Alaska Highway on Yukon Indians," in The Alaska Highway: Papers of the 40th Anniversary Symposium, ed. Kenneth Coates (Vancouver: University of British Columbia Press, 1985), 172-187.

2. Canada, House of Commons, Debates, 8 December 1953, 698.

3. David R. Morrison, The Politics of the Yukon Territory, 1898 - 1909 (Toronto: University of Toronto Press, 1968), 20. The power to pass ordinances regarding a territorial civil service was not specifically included in the Yukon Act until 1906. See Canada, Revised Statutes of Canada, 1906, Chapter 63, Section 12(a). It was, however, implied in the act passed in 1898, which gave the commissioner in council the same powers to make ordinances given to the North-West Territories government. See Canada, Statutes of Canada, 61 Victoria, Chapter 6, Section 6.

4. Yukon Territory, Consolidated Ordinances of the Yukon Territory, 1902, Chapter 5, Section 5.

5. This is fully described in an article by Charles Maier, "Responsible Government and Federal Administrators in Yukon, 1894 - 1914," presented to the Canadian Historical Association (Whitehorse, June 1983).

6. Yukon Territory, Ordinances of the Yukon Territory hereinafter O.Y.T.), 1909, Chapter 7; O.Y.T., 1911, Chapter 1, Section 2; O.Y.T., 1912, Chapter 5, Section 1.

7. Yukon Archives (hereinafter YA), Yukon Government Records - 1 (hereinafter YRG-1), Series 7, vol. 32, file 33811-2, 1938-1946.

8. Yukon Territory, Revenues and Expenditures of the Yukon Territory for the Year ending March 31, 1943 (hereinafter Revenue and Expenditures with the appropriate fiscal year), 2. Although these documents are commonly known as the public accounts, they are officially given a variety of titles. Until the early 1950's they are known under the above title. From the early 1950's until the late 1960's they are called Public Accounts; they are subsequently known as the Territorial Accounts. These are cited under the official title used in the relevant year.

9. Revenues and Expenditures, 1928-29, 2; Ibid., 1930-31, 4; Ibid., 1931-32, 4.

10. The Office of Commissioner was abolished on March 28, 1918 by Order of the Privy Council (hereinafter P.C.O.) 745, which took effect on April 1, 1918. Amendments to the Yukon Act passed in June 1918 and applied retroactively allowed

for the move. See Canada, Statutes of Canada, 8 - 9 George V, Chapter 50, Section 1. For the $150,000 figure, see C.C. Lingard, "Arctic Survey: VII. Administration of the Canadian Northland," Canadian Journal of Economics and Political Science 12 (February 1946): 53, n. 29.

11. YA, YRG-1, Series 2, vol. 14, file 15257, G.P. MacKenzie to O.S. Finnie, 5 July 1922, with accompanying list of various departments in the Yukon Territory.

12. The transfer of power from the gold commissioner to the comptroller was made by P.C.O. 1481 on June 30, 1932. The title of comptroller was changed to controller on December 3, 1936 by P.C.O. 3072.

13. YA, YRG-1, Series 7, vol. 32, file 33811-2, Part 2, G.A. Jeckell to R.A. Gibson, 2 September 1943; Ibid., R.A. Gibson to C.K. LeCapelain, 10 September 1943.

14. Ibid., R.A. Gibson to C.W. Jackson, 17 January 1944.

15. Ibid., doctor's certificate dated 19 December 1943.
Ibid., Geoff Bidlake to G.A. Jeckell, 6 September 1945.

16. Revenues and Expenditures, 1942-43, 2.

17. These figures have been calculated from the Revenues and Expenditures.

18. YA, YRG-1, Series 4, vol. 35, file 777, J.E. Gibben to Larry Higgins, 8 October 1947. The new position was recognized in law in 1948. See O.Y.T., 1948, Chapter 6, Section 1.

19. YA, YRG-1, Series 3, vol. 10, file 12-20B, G.A. Jeckell to P. Powell, 5 July 1943; Ibid., special game regulations, 7 July 1943.

20. Ibid., R.A. Gibson to G.A. Jeckell, 13 November 1943.

21. YA, YRG-1, Series 3, vol. 10, file 12-20C, C.H.D. Clarke, Biological Reconnaissance of the Alaska Military Highway with Particular Reference to the Yukon Territory and the Proposed National Park Therein (undated), 33.

22. YA, YRG-1, Series 3, vol. 10, file 12-20B, G.A. Jeckell to R.A. Gibson, 13 November 1943.

23. Ibid.

24. Yukon Territory, Votes and Proceedings of the Council of the Yukon Territory (hereinafter Votes and Proceedings), 17 April 1945, 7; YA, Corporate Record, 78/49, Records of the Yukon Fish and Game Association, Part I, folder 1, George Black to W.D. McBride, 28 September 1945. Prior to the late 1950's the minutes of the council sessions, known as the Votes and Proceedings, were not numbered consecutively throughout the sitting. To avoid confusion the complete

date of the council sitting is given. Once the pages are numbered consecutively in later years, only the year and number of the session are given with the relevant page number.

25. YA, YRG-1, Series 2, vol. 7, file 3060-3, J.E. Gibben to R.A. Gibson, 14 November 1946.

26. O.Y.T., 1951 (2nd), Chapter 5, Section 5.

27. D.A.W. Judd, "Canada's Northern Policy: Retrospect and Prospect," Polar Record 14 (1969): 594.

28. Canada, House of Commons, Debates, 8 December 1953, 697.

29. Judd, "Canada's Northern Policy," 595.

30. Canada, Statutes of Canada, 11 - 12 George VI, Chapter 75, Section 4. For an argument on why these amendments were unnecessary, see John D. Hillson, Constitutional Development of the Yukon Territory, 1960-1970 (Unpublished M.A. thesis, University of Saskatchewan, Saskatoon, 1973), 16.

31. YA, ROF, 1-6-E, Canada, Interdepartmental Committee on Federal-Territorial Financial Problems, Report on the Yukon Territory, 1952 (March 1952), 25; Appendix AB on page 103 of the report contains a list of the federal grants to the Yukon, 1925/26 - 1951/52.

32. Ibid., 25 - 26.

33. Ibid., 26.

34. Dawson Weekly News, 30 May 1946.

35. YA, YRG-1, Series 2, vol. 7, file 3060-3, R.A. Gibson to J.E. Gibben, 3 June 1947; Ibid., 16 June 1947.

36. O.Y.T., 1947, Chapter 12; Ibid., Chapter 13.

37. Ibid., Chapter 11; Ibid., 1948, Chapter 10.

38. YA, ROF, 1-6-E, Canada, Interdepartmental Committee on Federal-Territorial Financial Problems, Report on the Yukon Territory, 1952 (March 1952), 28.

39. Ibid., 29.

40. Revenues and Expenditures, 1951-52, 19.

41. YA, ROF, 1-6-E, Canada, Interdepartmental Committee on Federal-Territorial Financial Problems, Report on the Yukon Territory, 1952 (March 1952), 29.

42. Ibid., 33.

43. Ibid., 12.

44. Ibid., 14.

45. Ibid., 13, 31.

46. YA, ROF, 10-33, vol. 1., Frederick Fraser to M. Munro, J. Kerr, and G.R. Bidlake, 4 September 1952.

47. Ibid., J. Kerr to Frederick Fraser, 15 September 1952.

48. YA, ROF, 1-27-6-1, vol. 1, Frederick Fraser to W. G. Brown, 8 November 1952.

49. Ibid.

50. Ibid.

51. YA, ROF, 1-27-6-1, vol. 1, Frederick Fraser to the I.O.D.E., 21 April 1952.

52. O.Y.T., 1953 (1st), Chapter 4. The society's name was changed in 1956 to the Yukon Children's Aid Society. See O.Y.T., 1956 (2nd), Chapter 11.

53. See Yukon Territory, Public Accounts of the Government of the Yukon Territory for this period.

54. YA, ROF, 1-6, vol. 1, H.C. Clark to R.A. Gibson, 15 December 1947.

55. YA, YRG-1, Series 4, vol. 36, file 819, W.A. Wardrop to the deputy provincial treasurer of British Columbia, 2 February 1949.

56. YA, Manuscript, Frederick Fraser collection, 86/108, letter from Frederick Fraser to the Yukon Archives, 10 December 1986.

57. YA, ROF, 10-24, vol. 1, memorandum from Frederick Fraser, 20 October 1951.

58. Yukon Territory, Journals of the Council of the Yukon Territory (hereinafter Journals), 1952, Sessional Paper No. 1. The practices regarding the use of the title "Journals" versus "Votes and Proceedings" are not uniform. Until the late 1950's, the sessional papers carried the title Journals of the Council of the Yukon Territory; in the subsequent period they were included as a separate volume of the Votes and Proceedings. The citations for sessional papers follow the given practice at the time.

59. YA, ROF, 1-37-1, vol. 1, F. Fraser to H.A. Young, 20 March 1952.

60. Dawson Weekly News, 7 August 1952.

61. Journals, 1952 (2nd), Sessional Paper No. 7.

62. Votes and Proceedings, 1953 (3rd), 29 October 1953, 1.

63. Prior to his appointment as commissioner, Fraser was the administrator for the MacKenzie District and then worked within the Department of Mines and Resources (later Resources and Development) in Ottawa preparing workmen's compensation ordinances for the Yukon and Northwest Territories. W.G. Brown was a district administrator in the N.W.T. before being named commissioner. He went on to head the territorial division of the department's Northern Administration Branch. F.H. Collins had been the chief treasury officer for the Department of Northern Affairs and National Resources before coming to the Yukon.

64. YA, ROF, 10-20, vol. 1, R.H. Winters to Frederick Fraser, 4 March 1952.

65. YA, ROF, 1-27-6-1, H.A. Young to F. Fraser, 21 October 1952.

66. Whitehorse Star, 31 May 1946, 1.

67. Dawson Weekly News, 2 June 1949.

68. YA, ROF, 1-29-1, A.C.L. Adams to A.H. Gibson, 10 October 1950.

69. Ibid.

70. Dawson Weekly News, 15 March 1951.

71. YA, ROF, 1-29-1, Robert Winters to A.H. Gibson, 13 March 1951.

72. Whitehorse Star, 27 March 1953, 2.

73. YA, ROF, 1-6-E, Canada, Interdepartmental Committee on Federal-Territorial Financial Problems, Report on the Yukon Territory, 1952 (March 1952), 64 - 65.

74. Ibid.

75. Ibid., 1. The membership of the committee changed over the years. The Bank of Canada's member was later dropped and representatives of the Treasury Board were added when it became a separate entity from the Department of Finance.

76. Ibid., 18.

77. Ibid., 9-10, 38.

78. Canada, Statutes of Canada, 1-2 Elizabeth II, Chapter 53, Sections 16(s) and 16(u).

CHAPTER 2

The Federal Takeover of Health Care

In 1942 the death rate among Yukon Indians more than doubled; the mortality rate among native infants of less than a year of age was 47 per cent. [1] These were among the statistics that stood out in the post-war period when the federal government looked to the arctic and sub-arctic regions of the country and realized the devastating effects modern disease had had on its Indian and Inuit populations. [2] Although the efforts to bring improved health care to northern Canada were initially concentrated on the native peoples, it was perhaps inevitable that the attention their problems were receiving would envelop the white population. A system that delivered health care to both groups represented a better use of the limited resources available to serve a large, relatively unpopulated area. The problem of limited resources, both financial and human, was graphically brought home when a polio epidemic struck the Yukon in the early 1950's. In the wake of this epidemic Ottawa stepped in to remedy the short-comings of the health system in the Yukon. In doing so, the federal government again exhibited the feature characteristic of its dealings with the north during this period, its desire for direct involvement.

The territorial health care system

The health care system the territorial government provided during the first half century of the Yukon's existence was modest, just as the government itself was. It was also concentrated in the three main communities: Dawson, Whitehorse and Mayo. Each had a hospital run by a local board and supported by territorial grants, and local doctors, who drew an annual stipend from the government, looked after public health matters. With the reawakening of the Yukon during the 1940's the commissioner began to take steps to develop a more comprehensive public health system. The territory's first chief sanitary inspector was hired in 1949 to monitor conditions in the communities and along the Alaska Highway. [3] To judge from the results of his first survey of the territory, the appointment was justified; the new inspector, Joseph Locke, informed the commissioner that sanitary conditions were "generally far below standards." [4]

In 1952 the territorial government engaged its first public health nurse, and early the next year a chief medical health officer was appointed. [5] Although this latter appointment marked another attempt to address health matters on a territorial scale, its significance must be tempered with the fact that this officer was located in Edmonton. Initially he made annual trips to the Yukon; this was later increased to biannual visits. [6] Thus, his ability to take a leading role in directing health matters in the territory was limited by his absence from the scene for much of the year.

The opening of the territory on the heels on the Alaska Highway construction took its toll on the territory's finances. Health costs in the latter half of the 1940's rose sharply as a larger population made more demands on the system and programs to treat and control tuberculosis and other communicable diseases were developed. By the 1950-51 fiscal year the territory was paying 40 per cent more for health care than it had six years earlier; hospital grants and other statutory payments, the largest single component of these costs, had more than doubled. [7] To help ease the financial burden, the Interdepartmental Committee on Federal-Territorial Financial Relations recommended that the territory receive federal health grants in the same manner as the provinces. [8]

The polio epidemic

The limitations imposed by the territory's finances were revealed when it had to deal with an emergency. In May 1953 the Whitehorse Star reported two cases of polio in the city. [9] It was the beginning of an outbreak that affected 147 people and claimed nine lives that year. [10] As the disease appeared in other communities, the government imposed a territory-wide ban on all indoor gatherings and closed the schools to check its spread. [11] Additional nursing staff was hired in Whitehorse. [12] The chief medical health officer, Dr. M.R. Bow, came to the territory, and an iron lung was sent on loan from Edmonton. [13] More serious cases were sent to hospitals outside the territory. [14] The prevalence of polio among the Indian population in Dawson led to complaints that immediate attention was needed to ameliorate their living conditions and calls for a permanent public health nurse or welfare worker in the community. [15] By July the disease was on the wane, but the bills still had to be paid. [16]

The polio epidemic cost the Yukon close to $100,000. [17] The lack of money within the five-year financial agreement with Ottawa to meet this emergency expense meant the territory had to ask the federal government for special assistance. Ottawa agreed to provide the Yukon with half the money requested, but it also made it clear that this was a one-shot deal. [18] In the event of future epidemics the territorial government would have to make do with the money already granted under the financial agreements. [19]

The federal takeover

The polio epidemic helped to underscore the weaknesses of the health care system in the Yukon and provide motivation for a change. Federal officials questioned the wisdom of having two health care systems in the territory, one delivered by Ottawa to status Indians and the territorial program for the remainder of the population with the exception of military personnel and their families. Each system lacked any supervisory personnel. [20] Federal and territorial nurses were trying to deal with both the administrative work and health matters associated with their respective clients and were travelling separately to communities outside Whitehorse. [21] The health system would be significantly strengthened if these resources were pooled and the duplication eliminated. [22] This was the thinking that led to Ottawa's decision in 1954 to set up the Northern Health Service to provide a unified system of health care for the Yukon.

The plan received the tentative approval of the territorial council in 1954. [23] Two years later Dr. John Willis, a special adviser with the Northern Health Service, came to Whitehorse to outline the specifics of the proposal. In his presentation to the members of the council he dwelled on the advantages the Yukon would have being tied to an expanded system of health care and stressed the services Ottawa was to deliver would reflect territorial input into new services and personnel. [24] As proof of how the Northern Health Service would work to provide an affordable service for the territorial government, he told the council of his efforts to get the Indian Affairs Branch to pick up a greater share of the costs of the combined health care system. [25] The resultant formula would require the territorial government to pay 70 pay cent of the costs, an estimated $39,000 annually. [26] In return for this money the Yukon would receive five public health nurses and a chief medical health officer resident in Whitehorse. [27] The council put its seal of approval on the deal. [28] The transfer of health care responsibilities to the federal government was set for April 1, 1957.

With the 1957 transfer Ottawa did not gain control over all the public health services in the Yukon. Programs dealing with tuberculosis, cancer and venereal disease control, medical care to indigents, and mental health remained under the administration of the territory's director of welfare. But Ottawa wanted to extend its control. [29] Claiming it was within its terms of reference from the federal cabinet to undertake all responsibilities for the territorial government in the health field, the Department of National Health and Welfare proposed the transfer of the remaining programs to federal hands in 1962. [30] While it noted improvements in the health conditions of the Yukon since the initial transfer, it emphasized there were still serious problems. [31] The territory's infant mortality rate, for example, exceeded the national average as did the accidental death rate, and the Yukon had the highest per capita incidence of venereal disease in the country. [32] In a submission prepared for the Interdepartmental Committee on Federal-Territorial Financial Relations, it argued federal control would allow for comprehensive, long-range planning and access to funds under territorial control including federal health grants. [33] It is difficult to escape the conclusion that the federal department saw itself as being better able to tackle the health problems identified. The proposal received the concurrence of the federal committee, and under a new five-year health agreement concluded in 1962 the remaining territorial programs became federal responsibilities. [34] The role of the Yukon government was reduced to a book-keeper paying the bills submitted by Ottawa.

A federal hospital

Concomitant with its foray into the direct delivery of health care in the Yukon, Ottawa also moved into the hospital field. Faced with steadily increasing demands on the Whitehorse hospital in the early 1950's, its hospital board in 1952 concluded the city's needs for an expanded facility and better surgical equipment were beyond the financial capability of the territorial treasury; it was time to put the issue to the federal government. [35] Two years later a bold initiative was announced for a federally-run hospital on the east bank of the Yukon River, a bridge to link it with the townsite, and the development of a new residential area on the same side of the river to help "eliminate congested shack areas" of the city. [36] The financial package accompanying this plan recognized the limitations of the territorial government. Its contribution to the 120-bed hospital was fixed at $750,000, which it borrowed from Ottawa, with the remainder coming from National Health and Welfare and the Department of National Defense. [37] The federal government alone would pay for the bridge in return for revenue from the sale of half of the planned lots in the new subdivision. [38] The new hospital opened its door in 1959.

Dissatisfaction with federal control

Even though Ottawa was successful in gaining control of the Yukon health system and the Whitehorse hospital in the nine years that followed the polio epidemic, it had to pay a higher price for that right than it may have initially conceived. It had to deal with dissatisfaction from the territorial government and council over the management of the health care system, which at times taxed both federal patience and its pocket-book. Early complaints and disputes point to a lack of adequate planning before the initial transfer in 1957. Commissioner Collins was, for example, irritated by what he termed an administrative "hodge-podge" that resulted from a lengthy delay in transferring some territorial personnel to the federal payroll. [39] Ottawa also sent back bills for a portion of the sanitary inspector's salary because this had not been part of the negotiated deal; this official's salary was later included as part of the plan, although he remained a territorial employee. [40]

The Yukon government had more fundamental complaints about the federal program. The commissioner described a shortage of public health nurses as a chronic problem and warned that public criticism could have "serious political repercussions." [41] There were even accusations that communities were being short-changed by a federal desire to improve the health of the Indian population; these accusations grew out of a perception that Ottawa was dragging its heels filling positions in communities where there were fewer natives. [42] A more prevalent complaint concerned the cost-sharing formula. Commissioner Collins maintained it was unfair because Indians were heavier users of the health system, and he wanted the territorial and federal governments to split the costs equally. [43] Ottawa resisted this suggestion. [44] Nor was the Interdepartmental Committee on Federal-Territorial Financial Relations persuaded by arguments to base the formula on usage rather than population, but it concurred with the more complex cost-sharing formula devised by National Health and Welfare, which was tied to the population in each of the four health districts in the territory. [45] The Yukon government won a partial victory as the effect of this new formula was to reduce its overall contribution under the 1962-67 health agreement to about 60 per cent. [46]

The dissatisfaction over Ottawa's control in the health field extended to hospitals as well. A federal proposal to reduce the Mayo hospital to a nursing station in conjunction with the initial transfer in 1957 provoked an uproar in that community. [47] With the territory's insistence that the status of the hospital remain unchanged, the Northern Health Service refused to include it in the transfer, and it remained a territorial responsibility. [48]

The Yukon council also dug in its heels over the operating costs of the Whitehorse hospital. Initially it agreed to cover the difference between the money raised from the fees paid by patients who were a territorial responsibility and the hospital's actual costs of providing service to these patients. [49] With its approval of a hospitalization plan, under which Yukon residents would receive free hospital care, it set a ceiling on the territory's contribution towards the hospital's operating costs of $25 per patient day. [50] It defended its position on the grounds that the Yukon government probably would not have had to pay more than that amount if the territorial hospital in Whitehorse had continued operating. [51] In the face of rising hospital costs it was not willing to unquestioningly pay Ottawa when it had no control over the hospital's operations. The bills sent by Ottawa gathered dust on the desk of the territorial treasurer. In 1961 when costs had risen to $30 per patient day at the Whitehorse hospital, Ottawa acted to reduce the hospital's growing deficit by closing the surgical wing for part of the year. [52] The federal decision resulted from the hospital being under-utilized, but there was a suggestion it was also linked to the territorial government's refusal to pay its bills. [53] The stalemate was ultimately resolved in the territory's favour. The Interdepartmental Committee on Federal-Territorial Financial

Relations recommended acceptance of the flat per diem rate, and the Department of National Health and Welfare went to Treasury Board for money to cover the Yukon's unpaid bills. [54]

Underlying these incidents was the feeling of the government and council that they had little control over the health care system. The co-operative tone in which Dr. Willis had talked in 1956 about a health department run by Ottawa for the territory was impaired by this belief, and the discontent set the stage for a protracted effort by the territorial government to secure the transfer of health care to its control. Still, the federal government had been instrumental in improving the quality and availability of health care in the territory. The Yukon had acquired in a comparatively short time a network of public health nurses, a new, expanded hospital in Whitehorse, and medical supervisory personnel resident in the territory. Ottawa also reduced the vulnerable position the Yukon was in because of its financial limitations. Even though it may have done so reluctantly, the federal government did dig deeper into its coffers to deliver health care in the Yukon.

NOTES

1. Kenneth Coates, "The Alaska Highway and the Indians of the Southern Yukon, 1942-50: A Study of Native Adaptation," in The Alaska Highway: Papers of the 40th Anniversary Symposium, ed. Kenneth Coates (Vancouver: University of British Columbia Press, 1985), 158-9.

2. H. L. Keenleyside, "Recent Developments in the Canadian North, "Canadian Geographical Journal, 39 (October 1949): 173; D.A.W. Judd, "Canada's Northern Policy: Retrospect and Prospect," Polar Record, 14 (1969): 597-8.

3. Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1949-50, 10; YA, YRG-1, vol. 44, file 36496, J.E. Gibben to J.H. Baillie, 3 August 1948.

4. YA, YRG-1, vol. 44, file 36496, Joseph Locke to J.E. Gibben, 31 March 1949.

5. Dawson Weekly News, 24 July 1952; Ibid., 8 January 1953.

6. Ibid., 8 January 1953; YA, ROF, 10-18-4, vol. 1, Interim Yukon Territory Health Plan (undated), 3.

7. Yukon Territory, Public Accounts for the Government of the Yukon Territory for the Fiscal Year ending March 31, 1954 (hereinafter Public Accounts with the relevant fiscal year), 17

8. YA, ROF, 1-6-E, Canada, Interdepartmental Committee on Federal-Territorial Financial Problems, Report on the Yukon Territory, 1952 (March 1952), 11.

9. Whitehorse Star, 1 May 1953, 1.

10. Public Accounts, 1953-54, 13.

11. Dawson Weekly News, 11 June 1953. Polio cases were reported in both Teslin and Mayo, as well as Dawson and Whitehorse. See Whitehorse Star, 19 June 1953, 1; Ibid., 17 July 1953, 1.

12. Dawson Weekly News, 7 May 1953.

13. Ibid., 18 June 1953.

14. Whitehorse Star, 26 June 1953, 1; Ibid.; 17 July 1953, 1.

15. Ibid., 19 June 1953, 1; Dawson Weekly News, 18 June 1953.

16. Whitehorse Star, 17 July 1953, 1.

17. YA, ROF, 1-6, vol. 2, F.J.G. Cunningham to W.G. Brown, 3 March 1954, with accompanying information on the 1953-54

supplementary estimates approved for the Department of Northern Affairs and National Resources.

18. Ibid.

19. Ibid.

20. YA, ROF, 10-18-4, vol. 1, Interim Yukon Territory Health Plan (undated), 3.

21. Ibid., 4-5.

22. Ibid., 6.

23. Votes and Proceedings, 1954 (2nd), 16 June 1954, 2.

24. YA, ROF, 10-18-4, vol. 1, transcript of a presentation of the proposed Northern Health Services to the Yukon territorial council, 16 November 1956.

25. Ibid.

26. YA, ROF, 10-18-4, vol. 1., F.J.G. Cunningham to P.E. Moore, 6 February 1957, with attached sheet by J.S. Willis with estimated annual costs of Northern Health Service operating the Yukon's health program (17 November 1956).

27. Ibid.

28. Votes and Proceedings, 1956 (2nd), 16 November 1956, 1.

29. A memorandum from the territorial treasurer indicates Ottawa had sought this transfer during the term of the 1957-62 agreement, but the territory refused. See YA, ROF, 10-18-5, vol. 1, K. MacKenzie to G.R. Cameron, 30 May 1962.

30. YA, 1-3-0-2-6-3-E, Yukon Health Services Plan, 1962-67, (Revised Plan) (February 1962), 5.

31. Ibid., 4.

32. Ibid., 3.

33. Ibid., 6.

34. YA, ROF, 1-6-E, Canada, Interdepartmental Committee on Federal-Territorial Relations, Report on the Yukon Territory, 1962 (revised) (undated), 16.

35. Whitehorse Star, 16 January 1952, 1.

36. Journals, 1954 (3rd), Sessional Paper No. 6.

37. YA, ROF, 10-18-3, vol. 1, agreement between the Government of Canada and the Government of the Yukon Territory, 12 October 1955.

38. Journals, 1954 (3rd), Sessional Paper No. 6.

39. YA, ROF, 10-18-4, vol. 1, F.H. Collins to R.G. Robertson, 10 April 1958.

40. YA, ROF, 1-60-13-9, P.E. Moore to F.H. Collins, 29 April 1959; Ibid., F.H. Collins to P.E. Moore, 7 August 1959; Ibid., P.E. Moore to F.H. Collins, 24 August 1959.

41. YA, ROF, 10-18-4, vol. 1, F.H. Collins to R.G. Robertson, 21 May 1960.

42. Ibid., N.D.C. MacKinnon to the regional superintendent, Foothills Region, Indian and Northern Health Services, 23 April 1959.

43. Ibid., F.H. Collins to B.G. Sivertz, 29 June 1960; Ibid., F.H. Collins to P.E. Moore, 24 August 1960.

44. Ibid., R.G. Robertson to F.H. Collins, 5 August 1960.

45. YA, ROF, 1-3-0-2-6-3-E, Yukon Health Services Plan, 1962-1967 (Revised Plan) (February 1962), 21; YA, ROF, 1-6-E, Canada, Interdepartmental Committee on Federal-Territorial Relations, Report on the Yukon Territory, 1962 (revised) (undated), 15.

46. This is computed from the population breakdowns used in the Health Services Plan (exclusive of the Mayo hospital and the one proposed for Watson Lake). See YA, ROF, 1-3-0-2-6-3-E, Yukon Health Services Plan, 1962-1967 (Revised Plan) (February 1962), 26-27.

47. YA, ROF, 10-18-4, vol. 1, R.A.J. Phillips to G.R. Cameron, 11 October 1962.

48. Ibid.

49. Journals, 1958 (2nd), Sessional Paper No. 39.

50. Votes and Proceedings, 1959 (1st), 49.

51. Ibid.

52. Whitehorse Star, 6 July 1961, 1-2

53. Ibid.; YA, ROF, 10-18-3, vol. 2, John Simons to F.H. Collins, 23 June 1961.

54. YA, ROF, 1-6-E, Canada, Interdepartmental Committee on Federal-Territorial Relations, Report on the Yukon Territory, 1962 (revised) (undated), 17; YA, ROF, 1-18-3, vol. 2, F.J. Carter to F.H. Collins, 28 November 1961.

CHAPTER 3

The Growth of Government

In the period following World War II the territorial administration had expanded to meet the increased demands placed on it by the Yukon's growing population. That population had almost doubled between 1941 and 1951.[1] In the following decade it increased another 60 per cent to 14,628.[2] Government growth followed population growth. In the late 40's and 50's the expansion of the government had largely involved putting some flesh on the skeletal governmental structure that had handled territorial matters during the period between the end of the gold rush and the construction of the Alaska Highway. In the 1960's the Yukon government moved into new fields of endeavour. A vocational school and correctional facilities were built and a regional library system instituted. New departments were set up to handle tourism and municipal development.

This growth in the Yukon government was tied to what increasingly preoccupied the Department of Northern Affairs and National Resources in the late 1950's and 1960's: the development of northern Canada. As the deputy minister of northern affairs and national resources, Gordon Robertson, outlined in an article published in 1960, Ottawa's job in administering the north was not unlike that of colonial powers in the third world; it involved dealing with "the political growth to self-government; the economic transformation of an underdeveloped area; and the social adjustment of people unadapted to our modern life."[3] The federal government's pursuit of these broad goals brought with it a general shift away from a concern with the internal workings of the Yukon government, as evidenced in the late 40's and early 50's, and an increased emphasis on using the territorial government as an instrument in federal development plans. Within the sphere of the territory's responsibilities Ottawa provided policy direction, expertise, and money towards the achievement of its goal of a more developed northern territory.

Social welfare

The Yukon's commissioner, Frederick Collins, indicated his own emphasis for this period in a speech to the newly-expanded territorial council in 1961: "within the broad program of economic, education, social development and health assistance now in being, there exists no valid excuse for the retention of habits and conduct, which have in most parts of our country, been relegated to the dim past."[4] The admonishing tone of Commissioner Collins's remarks partly stemmed from a concern about the increasing financial burden social welfare problems were placing on the territorial government. The degree to which this disturbed him can be seen in his blunt remarks made in the territorial council chambers in 1960: "all we're doing in this territory is subsidizing fornication and adultery." [5]

The early 60's mark a period of substantial growth within the Department of Health and Public Welfare as the government attempted to enhance the territory's social development by instituting corrective and preventive programs and as a result lower spending on relief and child maintenance. A family counselling service was set up in 1960 to help prevent family breakdowns, and in the following year the department opened its first branch office in Dawson.[6] Yukon Alcoholism Services was established in 1964 in an attempt to deal with a major contributing factor to welfare problems.[7] A probation service was also set up in this period in advance of a correctional program for the territory.[see Chapter 4] By the 1965-66 fiscal year the department's budget totalled almost half a million dollars, more than double its 1960-61 level, reflecting the additional federal funding made available to hire staff and develop new services aimed at fostering social progress.[8]

1960 also brought an end to Frederick Fraser's experiment of having a volunteer group provide child welfare services for the government. During the second half of the 1950's the workload of the Yukon Children's Aid Society had grown dramatically. In 1955 it supervised 40 children; two years later 190 children were under its supervision.[9] The number of cases it dealt with tripled in this period.[10] By 1959 the Children's Aid Society was convinced it was no longer possible to operate the system the Yukon needed with limited staff it could provide and the limited funds the territorial government and the community contributed.[11] It petitioned the government to take over its operations on the grounds that "to expand the Society to the point where it could deal effectively throughout the Yukon in this particular field would be creating a separate Department of Government without the benefit of economy and the facilities for administration which would be gained by combining this field of work with other functions in the field of welfare and administered by the Territorial Government."[12] The government agreed to assume the society's caseload in 1960.

Involvement with the Indian population

In conjunction with the takeover of the society's operations, the Department of Health and Public Welfare also became the sole agency providing child welfare services in the territory. The Yukon government worked out an arrangement with the Indian Affairs Branch under which status Indian children were included in the territorial program in exchange for an annual grant towards the program's administration and the reimbursement of maintenance costs incurred by the territory on behalf of the status Indian children.[13]

This arrangement was indicative of a growing belief that services to both the white and native populations should be provided through one government. Commissioner Collins advocated this approach in a newspaper article he wrote in 1959:

> .....the Indian, as a citizen and as a person, should have to look to only one government body -- the territorial government -- for the services and supervision now shared by that government and several other federal departments. The territory would need financial and technical assistance for a number of years, but the end result would be a fully integrated status for the Indian and the generations following.[14]

Mr. Justice John Parker of the territorial court echoed this sentiment later in the year when he called for a territorial takeover of the responsibilities of the Indian Affairs Branch in the Yukon.[15]

The views espoused by the commissioner and the territorial court judge reflected the federal attitude that the way to improve the economic status and standard of living of Indian people was to integrate them with white society. As a means of achieving this goal, Ottawa moved away from its traditional role as the sole provider of services to the status Indian population during the 60's; the responsibility for Indian education, child welfare, and health were transferred to the provinces.[16] The federal takeover of health care in the Yukon had achieved an integrated system. In the fields of child welfare and education, however, Ottawa took the same approach as with the provinces and moved to have these services delivered by the territorial government.

Ottawa's interest in having the territory provide education to all children in the Yukon was clearly stated in the 1957 report of the Interdepartmental Committee on Federal-Territorial Financial Relations: "the Committee is of the opinion that any plan which will result in the integration of the racial groups in the territories is desirable."[17] This goal was supported by the Committee on Education that studied the territorial school system in 1960:

> Undoubtedly there was a time when the building of large residential schools or schools with hostels was justified by the circumstances. The Committee questions the need for and the advisability of continuing the policy of racial segregation by the maintenance of these large establishments. In visiting the two large residential schools at Carcross and Lower Post it was felt that their maintenance tended to retard the process of Indian integration very considerably. In addition, it was felt that institutional life deprives children of the home influences to which each child is entitled.[18]

To achieve an integrated school system and thus, assist Indian children in adapting to "modern life", the federal government provided a per pupil grant to cover the cost of Indians attending territorial schools.[19] This arrangement continued until 1967; in the financial agreement concluded that year, the per pupil grant was built into the main operating grant Ottawa gave the territory.[20]

The vocational school

The desire to integrate the territory's Indian population extended beyond the regular school system; it was a contributing factor in the decision to build a vocational school in the Yukon. The territorial administration not only wanted to provide occupational training for native and white students who had dropped out of school, but "to assist in integrating Indians into occupations and work habits to help improve their economic and social status."[21] Years later at least one government official believed the vocational school had not met this goal because its prerequisites had in effect meant much of the native population in the territory did not qualify for admission.[22]

The proposal for a vocational school in Whitehorse received a boost from a new federal emphasis on vocational training and an increased level of funding; this was always a critical factor for the territorial government with its own limited financial means. In 1960 the federal Parliament approved a new Technical and Vocational Training Assistance Act that provided for "the greatest amount of assistance which has ever been offered by the federal government for technical and vocational training."[23] In accordance with the new act Ottawa agreed to pay 75 per cent of the $750,000 cost of the facility.[24] Under the legislation Ottawa also picked up half the costs of spending on technical and occupational training for anyone who had left the regular school system as well as half the cost of training instructors and other support personnel for these programs.[25]

Despite the generous level of federal support, the proposal for a vocational school encountered resistance in the territorial council. John Livesey, one of its members, opposed the construction of "white elephants" whose maintenance costs were a "drain on the territory's finances."[26] This was a familiar theme in the council; its concerns about the financial repercussions of new developments frequently made it reluctant about them. The commissioner, on the other hand, argued that programs and facilities that were part of a process of building for the territory's future often carried with them high price tags.[27]

> While $50,000 [the annual estimated maintenance cost of the facility] may seem a considerable sum, such cost is now being reflected in relief assistance, children's aid, etc., and I do not think it excessive in view of the immediate and future benefits to be derived. Further, I see no proper application of our duty toward the young men and girls of our Territory if at the age of sixteen those unsuited for further academic education are to be cast adrift to fend for

> themselves so far from normal job opportunities.[28]

The council did tentatively approve funds for the vocational school early in 1961, but it made its final acceptance subject to the approval of the operational and administrative plans to be presented to the council later in the year.[29] In the intervening period the administration worried that it would ultimately reject the facility, and the commissioner's executive assistant organized a campaign to gather "ammunition" for the administration.[30] The opinions of business and community groups, such as the Whitehorse Board of Trade and parent-teachers associations, were sought.[31] Students were canvassed to determine their interest and figures prepared on the number of people who might enroll.[32] Ottawa was also called on to help by sending the director of the Vocational Training Branch of the Department of Labour to make a submission to the council.[33] In the end these efforts succeeded; the council approved the new facility, and the Whitehorse Vocational School began operations in the fall of 1963.[34]

Housing and community development

The commissioner's desire for a facility that could provide occupational training for young people was also linked to his concern about housing conditions in the Yukon in the early 60's; by failing to provide a means of achieving better job opportunities, he believed the government was "merely perpetuating shack conditions as intermittent employment of these young citizens at adult age prevents such income as would permit the purchase or rental of decent home accommodation."[35] Ottawa and the territorial government, however, employed more direct means to deal with this problem. The federal government had opened up the Riverdale subdivision in Whitehorse, in conjunction with its construction of the hospital, to help "eliminate congested shack area" in the city.[36] It also entered into an agreement with the territory that allowed for hefty federal contributions towards the construction of low cost rental units, and in 1962 the Yukon government supplemented this with a low cost housing ordinance.[37] The national building code was adopted as the standard for all development areas and a building inspector added to the territorial staff to ensure proper adherence to the code.[38] These measures are again indicative of the larger goal of this period, the building of a more developed northern territory.

The administration of housing matters was assigned to the Department of Area Development established in 1961. This department had originally been set up to administer the Area Development Ordinance and the sale of land under the commissioner's control.[39] In this latter respect, however, its mandate was changed as a result of the substantial interest in land in the early 60's. The Department of Northern Affairs and National Resources appointed a supervisor of lands for the Yukon in 1961 to provide better service and coordination over the territory's land agents.[40] This appointment, however, coincided with a period during which the federal share of land sales was on the decline. In the 1959-60 fiscal year the value of federal land sales represented 40 per cent of the total; in the following year that fell to 17 per cent.[41] At the same time the dual system of land disposal was creating problems, and the territorial government was having difficulty keeping up with the demand for land under its control. In 1963 the sale of lands under the commissioner's control was transferred to the federal supervisor of lands "in order to provide better public service."[42] Despite the general tendency in this period to have services developed under territorial auspices, Ottawa showed that it was still willing to become directly involved in performing a territorial function, particularly when it touched so closely on an area under its direct control.

The transfer of the territorial lands administration to federal supervisor of lands freed the Department of Housing and Area Development to pursue the delivery of services to a growing number of communities in the Yukon. It is a commonly noted feature of northern administration that government services are delivered "one stage up"; in other words, the federal government delivered services more properly the function of the territorial government, and the territory in turn was responsible for providing many services that are ordinarily a municipal function.[43] This tendency increased in the early 60's; by 1965 the Department of Housing and Area Development was delivering a wide range of community services: street lighting, water delivery, sewage service, fire-fighting, insect control, and building inspections.[44]

The delivery of these services by the Yukon government was a consequence of the low level of municipal organization in the territory; this was something Ottawa wanted to change. In its 1962 report the Interdepartmental Committee on Federal-Territorial Financial Relations noted that no new municipalities had been incorporated in the Yukon since 1950.[45] As a means of encouraging the development of municipal governments, it recommended the creation of local improvement districts, a model that had already been adopted in the Northwest Territories.[46] The territory approved an ordinance for the establishment of local improvement districts in 1965, and the following year Watson Lake became the first to be organized in the Yukon.[47]

A regional library system

Throughout this period of government expansion, the Department of Northern Affairs and National Resources was instrumental in determining the nature of government services and structures put in place in the Yukon. In this context it is not surprising that when the commissioner was considering a territorial library service, he turned to the department for advice. Its librarian, Doreen Bailey, was sent to the Yukon in 1957 and recommended a regional library system headquartered in Whitehorse.[48]

In developing such a system the government moved into an area that for much of the territory's history had been in the hands of volunteer organizations. The territory's first library, the Dawson Standard Library, had been a commercial enterprise, but the common pattern of libraries during the first sixty years of the territory's existence was for groups such as the I.O.D.E. and later parent-teacher associations to provide libraries in various communities with some financial support from the territorial government.[49] The system put in place in 1961 did not entirely displace these volunteer agencies. The regional librarian organized a system of book deliveries and encouraged local groups to provide the direct library service.[50] Whitehorse became the exception. Because of the difficulties the I.O.D.E. was having in finding a building for its library, the headquarters of the regional system included space for the Whitehorse library.[51] Two years later an increase in circulation led the regional library to take over direct operations of the library.[52]

Tourism

The government's involvement in a service previously provided by volunteer agencies did not end with the library system; it can be seen again with regard to tourism promotion. With the growing realization of the revenues that could accrue to the Yukon from tourism, a private organization, the Yukon Travel Bureau, was set up in early 1959.[53] Again it was to the federal government that this group looked for advice and support for its endeavours, but it did not succeed in its desire to have the director of the Canadian Government Travel Bureau head up the new organization; Roland de Grosbois did, however, come to the Yukon in 1959 to lay the foundations for the new bureau.[54]

The travel bureau never realized its original plans. Money problems plagued it almost from its inception. The Whitehorse Star reported that members of the Whitehorse Board of Trade "looked a bit upset" when de Grosbois outlined the amount of money and effort he believed necessary to promote the territory:[55]

> The sums we have to work on now are much too small, the policy we are working under is too haphazard. Our total budget for tourist promotion in this territory is just about enough to produce one good promotional piece on the Yukon and give it the proper distribution it should have. I'm sure you will agree this is not enough.[56]

The money was, however, not forthcoming. The federal Treasury Board refused to approve a federal contribution to the organization.[57] Nor was the territorial government as generous as the travel bureau wanted. It provided a $10,000 grant in the bureau's first year of operation, but rejected a proposal for $50,000 in 1960.[58] The commissioner saw that level of support as "a horse of a different colour," and the council questioned providing government money to an organization that had not raised any money yet that year towards its own operation.[59] The bureau did experience a steady decline in memberships and financing; the $5,000 it collected in fees in 1959 had shrunk to $500 by 1962, the year it disbanded.[60]

The federal government had by 1962 concluded that tourism promotion more properly belonged with the government. It had set up an office in Ottawa in 1960 to develop a tourism industry in the Northwest Territories.[61] The Interdepartmental Committee on Federal-Territorial Financial Relations took a similar approach in its report prepared on the 1962 financial agreement for the Yukon, concluding that "improved opportunities to increase the volume of tourist traffic could now be more effectively developed as responsibilities of the Yukon Government."[62] In accordance with the interdepartmental committee's direction, the Department of Travel and Publicity was established in March 1962, and the Yukon Travel Bureau folded.[63]

Political development

The expansion of the Yukon government as defined by federal policies for the territory's social and economic development was accompanied by the first tentative steps towards a change in the political make-up of the government. Amendments to the Yukon Act in 1908, which had provided for a wholly elected council of ten members, had enacted a clear separation of powers between the council and the commissioner: the council's role was to be solely legislative and the commissioner's solely executive.[64] This separation of powers, characteristic of the American model of government, disturbed Gordon Robertson when he made his first trip to the Yukon as the deputy minister of northern affairs and national resources in 1954.[65] Both he and the minister recognized the arrangement as foreign to the parliamentary tradition, but the remedy Robertson toyed with during his visit -- making the commissioner, instead of the Speaker, the presiding officer of the council -- would hardly have been palatable to the councillors.[66] What they were campaigning for was not a greater role for the commissioner in the council, but a greater role for themselves in the executive. Councillor Jim Smith, who later became commissioner, gave expression to this desire in 1958 when he called for an advisory committee similar to that set up in the old North-West Territories in the late nineteenth century as a step in the orderly progression towards responsible government.[67] Ottawa acceded to this wish in amendments to the Yukon Act in 1960.[68]

The federal government made it clear that the creation of the Advisory Council on Finance did not alter the fundamental nature of the government or the council. It remained as it was following the 1908 amendments to the Yukon Act. Indeed, at this point Ottawa saw the achievement of responsible government with the executive responsible to the legislature as part and parcel of provincehood.[69] The advisory committee was, however, designed to narrow the gap between the legislative and executive arms:

> ...the Administration will now have available the advice of the elected representatives between sessions, as well as when the Council is sitting; the Council, on the other hand, will have among its membership people who are more closely acquainted with the thinking of the Administration on the proposals submitted.[70]

Although Ottawa's concession in the area of the territory's political development in 1960 was a timid one, the council of the old North-West Territories had used the vehicle of a financial advisory committee to win for itself a greater role within the executive.[71] The same was not true of the Yukon committee; neither the council nor the commissioner had the commitment to make the experiment work.[72] Commissioner Collins did not want the council encroaching on the administration of the government and worked to limit rather than promote the committee's involvement.[73] The practice developed of providing the committee with the estimates when they were all but ready for presentation in the council, thereby virtually negating any effective input into policy decisions.[74] For their part individual council members made little effort to curb their own personal ambitions and jealousies to make the advisory committee an effective body.[75] Their decision to rotate membership on the committee annually was an expression of their unwillingness to see any group of councillors take on a leadership role in the council.[76]

The commissioner's assistants

While the council had little success in increasing its influence within the executive during the 1960's, the commissioner was beginning to rely more heavily on his assistants to administer the territorial government. The executive assistant had been added to the commissioner's staff in 1950, and this official normally functioned as the administrator in the absence of the commissioner.[77] An administrative assistant was hired in 1960 in response to the commissioner's requests for additional help to meet his growing obligations.[78] Like the commissioners of the 1950's, these assistants generally came out of the Ottawa administration and served as a link with the Department of Northern Affairs and National Resources; this practice continued after Ottawa embarked, with the appointment of Gordon Cameron in 1962, on a policy of naming Yukoners as commissioners.[79]

By 1961 the commissioner's responsibilities had grown to a point that it was no longer possible for him to directly oversee all the government departments; he and the two assistants divided the duties, with the commissioner retaining direct responsibility for finance, liquor control, and engineering.[80] The following year Commissioner Cameron delegated responsibility for routine matters of all government departments to his two assistants.[81] With the expansion of the government this trend continued, and by the mid-60's these two officials were responsible for the functional direction of departments and the coordination of governmental activities between themselves and the commissioner.[82] This growth in the role of the commissioner's assistants was officially recognized in 1967 when these officials were named assistant commissioners, a tacit acknowledgement that they with the commissioner constituted the executive arm of the government.[83]

Federal financing

The expansion of the government in the early 1960's brought with it the need for more money. By 1962 the territorial government was in much the same position as it had been ten years earlier. Government spending had during the life of the 1957-62 financial agreement consistently exceeded its revenues, and its cash reserves were depleted; without the money to meet its daily obligations the government had been forced to borrow half a million dollars from Ottawa.[84] The need for a greater level of federal assistance was recognized in the 1962 financial agreement. Ottawa increased its operating grant to the territory to $1,252,782, more than double what the Yukon received the previous year.[85] It also extended to the territory loans worth more than $7 million for capital projects, as well as annual funds to meet the amortization payments on these loans over the life of the agreement.[86]

The generosity of the new financial agreement illustrates how far Ottawa was prepared to go to achieve its desire of a developed northern Canada, but the 1962 agreement also contained a subtle political message in response to the council's desire for greater control over the territory's affairs. Until this period Ottawa carried out the administration of justice for the territory and paid the bills. Although the 1962 agreement did not bring any change in the delivery of the judicial function, the territorial government did under its terms have to pay half of the cost of the service.[87] It was intended as a reminder that, despite territory's progress in the social and economic fields, greater political responsibility would carry a price.[88]

Throughout the period of the early 1960's the rapid expansion of the Yukon administration followed the goals set out by the federal government. The moves made within the territorial government generally reflected policies made in Ottawa, and the federal government provided direction, advice, and sufficient financing to accomplish its agenda for the north. Even though the Yukon administration had its own civil service, in contrast to the Northwest Territories in this period, in many respects the government functioned as an adjunct of the federal Department of Northern Affairs and National Resources. The degree to which this department dictated actions taken in Whitehorse can be seen in the development of a correctional program for the Yukon. It provides such a clear example of federal management of the territorial government that is deserving of a separate chapter.

NOTES

1. Canada, Dominion Bureau of Statistics, Canada Year Book, 1952-53 (Ottawa: Queen's Printer, 1953), 128.

2. Ibid., 1963-64, 160.

3. R.G. Robertson, "Administration for Development in Northern Canada: The Growth and Evolution of Government," Canadian Public Administration 3 (December 1960): 355.

4. Whitehorse Star, 3 November 1961, 1.

5. Ibid., 7 April 1960, 1.

6. Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1960-61, part II, 10; Ibid., 1961-62, "Welfare", 1.

7. Ibid., 1964-65, 10.

8. Public Accounts, 1960-61, 18; Ibid., 1965-66, 21.

9. YA, ROF, 1-27-6-1, vol. 1, brief presented by the Yukon Children's Aid Society to the territorial council [undated - ca. 1958].

10. Ibid.

11. YA, ROF, 1-27-6-1, vol. 1, brief presented by the Yukon Children's Aid Society to the territorial council [undated - ca. 1960].

12. Ibid.

13. Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1960-61, part II, 4-5.

14. Whitehorse Star, 16 July 1959, 2.

15. Ibid., 8 October 1959, 1.

16. Debra Wright, Indian Self-Government (Ottawa: Library of Parliament, November 1986), 4.

17. YA, ROF, 1-6-1-E, Canada, Interdepartmental Committee on Federal-Territorial Financial Relations, Report on the Yukon Territory, 1957 (undated), 7.

18. Yukon Territory, Committee on Education, Report of the Committee on Education for the Yukon Territory (Whitehorse, 1960), 98.

19. YA, ROF, 1-6-1-E, Canada, Interdepartmental Committee on Federal-Territorial Financial Relations, Report on the Yukon Territory, 1957 (undated), 7.

20. Touche, Ross, Bailey and Smart, Yukon Territory Taxation Study (1968), 9.

21. YA, ROF, 1-4-0-9-8, vol. 1, H. Thompson to F.H. Collins, 15 October 1958.

22. YA, ROF, 10-29-17-1, vol. 1, H.W. Fell to W.M. Hulland, 25 May 1967.

23. YA, ROF, 1-4-0-9-8, vol. 1, C.R. Ford to F.H. Collins, 14 December 1960.

24. Ibid., agreement between the minister of labour and the commissioner of the Yukon Territory, 13 July 1961.

25. Ibid., C.R. Ford to F.H. Collins, 14 December 1960.

26. Ibid., J.O. Livesey to F.H. Collins, 29 December 1959; Ibid., 7 January 1960.

27. Ibid., F.H. Collins to J.O. Livesey, 6 January 1961.

28. Ibid., F.H. Collins to members of the Yukon territorial council, 17 December 1959.

29. YA, ROF, 1-4-0-9-8, vol. 1, A.J. Reeve to H. Thompson, 29 March 1961.

30. Ibid.

31. Ibid., A.J. Reeve to H. Thompson, 2 May 1961; Whitehorse Star, 27 April 1961, 1.

32. YA, ROF, 1-4-0-9-8, vol. 1, A.J. Reeve to H. Thompson, 29 March 1961; Ibid., H. Thompson to A.J. Reeve, 30 March 1961.

33. Ibid., F.H. Collins to C.R. Ford, 15 March 1961.

34. Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1961-62, "Education", 2.

35. YA, ROF, 1-4-0-9-8, vol. 1, F.H. Collins to members of the Yukon territorial council, 17 December 1959.

36. Journals, 1954 (3rd), Sessional Paper No. 6.

37. O.Y.T., 1962 (1st), Chapter 3; O.Y.T., 1962 (1st), Chapter 1; O.Y.T., 1963 (1st), Chapter 8.

38. Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1962-63, 2.

39. Ibid., 1961-62, "Area Development", 1. Until the coming into force of the 1953 Yukon Act in 1955, there was no provision for commissioner's lands. The new act allowed for lands to be placed under the control of the commissioner in council, though they remained vested in her Majesty in right

of Canada. See Canada, Statutes of Canada, 1-2 Elizabeth II, Chapter 53, Section 45. The territorial council passed the Yukon's first Lands Ordinance in 1955. See O.Y.T., 1955 (3rd), Chapter 5.

40. Canada, Department of Northern Affairs and National Resources, Annual Report of the Department of Northern Affairs and National Resources, 1961-62, 39.

41. These figures are computed from information given in the annual reports of the Department of Northern Affairs and National Resources. See Canada, Department of Northern Affairs and National Resources, Annual Report of the Department of Northern Affairs and National Resources, 1959-60, 42; Ibid., 1960-61, 40.

42. Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1963-64, 16.

43. Gordon Robertson, "Administration for Development in Northern Canada: The Growth and Evolution of Government," Canadian Public Administration 3 (December 1960): 360.

44. Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1964-65, 7.

45. Canada, Interdepartmental Committee on Federal-Territorial Financial Relations, Report on the Yukon Territory, 1962 (revised) (undated), 29.

46. Ibid., 30; Robertson, "Administration for Development in Northern Canada," 360.

47. O.Y.T., 1965 (2nd), Chapter 1; Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1966-67, 23.

48. Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1961-62, "Regional Library", 1.

49. Patricia L. Smith and Garth Graham, "Library Service North of the Sixieth Parallel: The Yukon and the Northwest Territories," in Canadian Libraries and their Changing Environment, eds. L.S. Garry and C.S. Garry (Downsview, Ontario: York University, 1977), 123-24, 126.

50. Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1961-62, "Regional Library", 2-3.

51. Ibid., 1.

52. Ibid., 1962-63, 5.

53. Whitehorse Star, 4 February 1960, 1.

54. Journals, 1958 (2nd), Sessional Paper No. 20; Whitehorse Star, 23 July 1959, 4.

55. Whitehorse Star, 23 July 1959, 4.

56. Ibid.

57. Ibid., 4 June 1959, 1.

58. Votes and Proceedings, 1966 (2nd), Sessional Paper No. 15

59. Whitehorse Star, 16 June 1960, 1.

60. Votes and Proceedings, 1966 (2nd), Sessional Paper No. 15

61. Whitehorse Star, 4 August 1960, 12.

62. Canada, Interdepartmental Committee on Federal-Territorial Financial Relations, Report on the Yukon Territory, 1962 (revised) (undated), 33.

63. Votes and Proceedings, 1966 (2nd), Sessional Paper No. 15.

64. Canada, Statutes of Canada, 7-8 Edward VII, Chapter 76, Section 13.

65. YA, ROF, 600-10, vol. 1, R.G. Robertson to C.W. Jackson.

66. Ibid.

67. Journals, 1958 (2nd), Sessional Paper No. 3

68. Canada, Statutes of Canada, 8-9 Elizabeth II, Chapter 24, Section 3.

69. YA, ROF, 600-10, vol. 3, A. Hamilton to F.H. Collins, 27 May 1960.

70. Ibid.

71. This is discussed in John Hillson's thesis, Constitutional Development of the Yukon Territory, 1960-1970 (Unpublished M.A. thesis, University of Saskatchewan, Saskatoon, 1973), 85-90.

72. Hillson, Constitutional Development of the Yukon Territory, 90-100.

73. Ibid., 91-92; YA, ROF, 600-10, vol. 3, F.H. Collins to R.G. Robertson, 3 October 1961.

74. Hillson, Constitutional Development of the Yukon Territory, 98-99.

75. Ibid., 90.

76. Ibid., 93.

77. See appendix III for a list of the executive assistants/assistant commissioners (executive) for the

period 1950-1979. This position was restored to the Yukon administration in 1950; the federal secretary to the commissioner had performed a similar function during the early period of the territory's history.

78. YA, ROF, 1-1-1-16, vol. 1, F.H. Collins to R.G. Robertson, 20 March 1959.

79. Several executive assistants went on to senior positions with the federal department. Clare Bolger, for example, became the director of the Northern Administration Branch; Alex Reeve became the assistant director of the National Parks Branch. In contrast, Victor Wylie remained in the Yukon after serving as the commissioner's executive assistant; he set up a law practice in Whitehorse and later served as the city's mayor. The administrative assistant became a territorial employee in 1965, and they no longer came from the federal department. G.K. Fleming was hired from Alberta, and Merv Miller was the territorial treasurer before his appointment.

80. YA, ROF, 10-24, vol. 2, F.H. Collins to J.F. Delaute, 4 December 1961.

81. *Ibid.*, G.R. Cameron to all department heads of territorial and federal departments, 5 June 1962.

82. YA, ROF, 1-34, G.R. Cameron to all federal and territorial department heads, 24 May 1966.

83. YA, ROF, 10-24, vol. 5, J. Smith to federal and territorial department heads, 22 September 1967.

84. *Public Accounts, 1961-62*, 3.

85. *Ibid.*, 1962-63, 11; cf. *Ibid.*, 1961-62, 8.

86. Canada, Interdepartmental Committee on Federal-Territorial Financial Relations, *Report on the Yukon Territory, 1962 (revised)* (undated), 52.

87. *Ibid.*, 36-37.

88. YA, ROF, 626-7-3, vol. 4, J.R.W. Bordeleau to E.A. Cote, 25 May 1966.

CHAPTER 4

The Development of a Corrections Program

The need for a jail in the Yukon was recognized as early as 1954. In the fall of that year the commissioner of the RCMP wrote to Gordon Robertson, the deputy minister of northern affairs and national resources, urging the department to construct a territorial prison.[1] He said the average number of prisoners admitted to the police guardroom in Whitehorse in the early 1950's was more than 700 annually and this went far beyond the intent of federal legislation, which was to provide jail facilities in "isolated cases in out-of-the-way places."[2]

It was to be another thirteen years before the request from the RCMP was met and a correctional institute opened in the territory. During this period the proposal for a prison mushroomed into a full-fledged correctional program with an emphasis on rehabilitating the offender rather than isolating him from society. The proposal was conceived and orchestrated from Ottawa. But in contrast to the direct takeover of health care delivery, the federal government pushed the territory into the administration of the program while it pushed its own proposal on what the program should encompass.

The initial proposal

In its recommendations on the 1962-67 financial agreement the Inter-departmental Committee on Federal-Territorial Financial Relations concurred with the views expressed by the RCMP commissioner in 1954. The jail facilities provided by the police were inadequate, and the RCMP was not the proper agency to operate a prison.[3] It called for the speedy construction of a territorial jail, but in keeping with its other recommendations related to the administration of justice, it suggested that the federal Department of Justice construct and operate the prison.[4] The territory would pay $175,000 towards the operating costs of the facility until a future transfer of responsibility to the government in Whitehorse.[5]

A change in thinking

Ottawa's thinking as reflected in the committee's recommendations was soon to change, and its new attitude was partly linked to the question of money. The interdepartmental committee had conceived of a minimum security facility at an estimated cost of $350,000, but when the blueprints came back from the Department of Justice, it more closely resembled a maximum security prison and carried a $715,000 price tag.[6] The appropriateness of such a facility in the north where the bulk of a prison population was expected to consist of short-term offenders was questioned.[7] Facilities in southern Canada could handle the small percentage of hardened criminals; conditions called for a different approach in northern Canada.[8]

A key figure in this new federal attitude was Duncan Clark who was hired by the Department of Northern Affairs and National Resources in the early 1960's to develop and implement a correctional program in the Northwest Territories. Clark brought to the job his experience as the deputy warden at the Oakalla prison in British Columbia and, as he outlined to his superior, a preference for a rehabilitative approach to corrections.

> Punishment has been -- and may still be -- the cornerstone of our criminal law, but there is a new and increasing appreciation on the part of the thinking public that something new must be added. That something new is loosely defined as rehabilitation ... we can benefit from past mistakes and concern ourselves about the future in a spirit of optimism which is based on the knowledge that a predisposition for delinquency

> can be combated [sic] by a favourable environment, and that criminals are not born that way nor are they incurable.[9]

The Department of Northern Affairs and National Resources grasped the idea of a rehabilitative program with enthusiasm. It saw an opportunity to do something in northern Canada that was at least more difficult to achieve in the provinces where traditional correctional facilities and programs had been in place for years.[10] Duncan Clark was the ambassador of this modern approach, and his recognized powers of persuasion were to stand him in good stead.[11]

Ottawa's change in attitude about the components of a correctional program also brought a change in its thinking about which government should administer it. The federal minister of justice in giving his concurrence to the new direction of the program raised the possibility of the territory running it from the start.[12] The Department of Northern Affairs and National Resources embraced the idea.[13]

Although the department subsequently argued that its reason for wanting territorial administration of the program was to allow the Yukon government to "guide the whole development from its inception", this argument does not ring completely true given the degree to which Ottawa itself guided the program. Its reasons probably included its own desire to have programs delivered in the field, in keeping with the department's policy of decentralization in the period. The situation also differed from that involving the health care system; the Department of National Health and Welfare was anxious to administer the health program itself. In the case of corrections, the Department of Justice wanted the territory to look after it. Perhaps the federal government also believed territorial administration would be a wiser course in light of the criticism it incurred in the delivery of health care. Ultimately it did not matter whether Ottawa administered the program, as long as it could sell its ideas on what that program should entail.

Selling the proposal

In early 1963 the Council of the Northwest Territories approved the corrections proposal envisaged by the federal government.[15] Ottawa then turned its attention to the Yukon. In a series of memos to the commissioner, the director of the Northern Administration Branch of the Northern Affairs Department tried to move the Yukon in the direction taken by the N.W.T.[16] Although the director, Ben Sivertz, stated that the choice of the kind of program adopted lay with the territory, his preference was clear:

> It will be for the Yukon to decide what is to be the scope and operating cost of their corrections program. They may wish to hold operating expenditures to the $175,000. They may, on the other hand, wish to emphasize and invest in a corrections program that goes beyond one of simple custody which is essentially negative, into a positive area of redirection of offenders, especially the young ones, through probation and other rehabilitation programs.[17]

In April 1963 the matter was referred to the territorial council, and Duncan Clark came to the territory to present Ottawa's views. He set out the main features of the program: a medium security correctional institute with some maximum security cells, minimum security correctional camps, juvenile detention facilities, a probation service for adults and juveniles, and after care services.[18] He stressed the questionable need for a maximum security facility in the north and the savings that could be achieved over the long term from rehabilitating offenders.[19] Although Clark commented to his superiors that the council was very suspicious of Ottawa, he said "as the week continued it became apparent that the seed had been sown which was to result in the Yukon Council taking much the same action as was taken earlier by the N.W.T. Council."[20] Shortly before Clark was scheduled to leave Whitehorse, the council approved a motion that engendered the program conceived by the federal government and provided for the formation of a corrections committee to bring the proposal to fruition.[21]

The corrections committee

The corrections committee, chaired by the commissioner, included senior officials within the Yukon government and representatives of federal agencies, such as the RCMP. [22] A member of the territorial council, H.E. Boyd, was also included. Boyd's involvement was, however, seen in much the same fashion as the Advisory Committee of Finance's involvement in the budgetary process [see Chapter 3]: he was to bring council's views to the committee and in turn keep the council informed of the committee's decisions. The committee believed it had the power to carry out the wishes the council had enunciated in its motion.[23] But some councillors, notably John Livesey from Beaver Creek, perceived the relationship quite differently. Livesey maintained the council had not delegated its authority to make decisions to the committee; in his view, it was a committee of the council and was bound to bring the recommendations to the council for approval.[24] The issue came to a head in the fall of 1963. The committee threatened to resign if its view was not accepted because it maintained there was no other way it could function; it also warned that if the committee were disbanded, the corrections program would by default be administered by the federal government.[25] The council acquiesced.

Ottawa had not abdicated its role in the development of the corrections program once the decision had been made in favour of its proposal. At the territorial council's request Duncan Clark was named to the corrections committee in order that he could continue to provide his expertise in the field.[26] At its first meeting in June of 1963 it was on his suggestion that the committee agreed that the establishment of a probation service should not wait until the correctional facilities were built.[27]

It was set up the following year, and the first probation officer joined the government in June of 1964.[28]

Lingering doubts

Although the work on the establishment of a correction program continued to move ahead, it was not without problems. Ottawa's input into the salary paid the chief probation officer drew complaints from other employees that it was out of line with their own.[29] Lingering doubts also remained about the financing of the project. When the subject of a territorially-run program was first broached, the territorial treasurer had opposed the idea because it constituted a significant departure from the recommendations of the Interdepartmental Committee on Federal-Territorial Financial Relations.[30] As the implementation of the program drew closer and the costs became clearer, this uneasiness surfaced. The Advisory Committee on Finance believed Ottawa had "misrepresented" the costs of the program to the territory, and there was talk of "drastic revisions" to it.[31]

In this atmosphere, hostility to the whole nature of the program also became evident in some quarters; one government official charged the territory was being "used as a guinea pig or laboratory for probationary experts to test out their theories." [32] The editor of the Whitehorse Star also spoke out:

> The Yukon simply cannot afford $617,664 for one year's operation of an institution which will provide correction, not incarceration for a handful of wrong doers. The simple little cottage-type minimum security building first visualized by Council, grew like Topsy into a palatial establishment on the drawing board in Ottawa, magnificent in its modern conveniences, complete with television in the lounge!![33]

The misgivings about the costs of the corrections program renewed discussions within the administration and the council about which government should be responsible for its operation.[34] Amid accusations that it was "far too rich" for the territorial treasury, the council reserved its approval of the corrections estimates until there was a clearing of the air, and Ottawa agreed to send officials north again to discuss it further.[35]

Although the commissioner claimed Ottawa was "open-minded" about federal administration of the corrections program, the arguments Clare Bolger and Bud Neville of the Northern Affairs and National Resources Department presented to the corrections committee and the territorial council suggest otherwise.[36] They told the committee a federal takeover at such a late date would mean at least a two-year delay in getting the program in operation.[37] In their presentation to the council they also argued it was unfair to compare the current costs of the program with the original estimate of $175,000 because the program had extended beyond what was contemplated in the 1962-67 financial agreement. Bolger assured council that Ottawa was "so sold" on the rehabilitative emphasis of the program that he was confident future financial agreements could provide a sufficient level of support for it.[38] Concerns that the proposed salaries for the correctional staff would involve an additional expense for the territory in providing equitable salaries for other territorial employees were also answered: Ottawa had been told the salaries could easily be reconciled and would not become a source of dissatisfaction within the government.[39] Armed with these reassurances the territorial council approved the estimates.

The final stage

Ottawa's plan had not faced its last hurdle. In late 1966 after senior correctional officers, whom Ottawa had recruited and trained, were in place, problems developed that had implications for the whole program. As the federal government had conceived it, the intermediate and junior staff hired would be experienced in the correctional field.[40] This would necessitate bringing in much of staff from outside the territory, and the Yukon government would then have an obligation to provide them with housing. But in late 1966 there was little housing available.[41]

The commissioner and the administrative assistant, who had the direct responsibility for the problem, were not willing to let this impasse prevent the speedy opening of the correctional facilities.[42] The same degree of unanimity did not exist among senior correctional staff; one official believed the program would be seriously, if not permanently impaired, if the centre was opened without a full staff.[43] The belief that an adjustment to the original plans was preferable to having a building stand idle prevailed. The probation service was transferred back to the Department of Social Welfare in recognition that the rehabilitative aspect of the program would have to wait until the housing situation would allow for the recruitment of more experienced personnel.[44] Sufficient staff was hired locally to open the two facilities as common gaols, and in the summer of 1967 the correctional facilities opened.[45]

In the contrast to the federal takeover and administration of the Yukon's health care system, Ottawa had stayed out of the delivery of the territory's correctional service, but it was the driving force behind its development. It convinced the territorial government to adopt the program it had devised and promised to recognize the added financial burden of the scheme when money worries threatened it. In the end problems not foreseen by officials in Ottawa meant a delay in the full implementation of its program, and Yukon officials stepped in with local solutions. These interim measures looked ahead to a period when a greater independence of action was exhibited by the territorial administration.

NOTES

1. YA, ROF, 600-10, vol. 4, L.H. Nicholson to R.G. Robertson, 24 September 1954.

2. Ibid.

3. Canada, Interdepartmental Committee on Federal-Territorial Financial Relations, Report on the Yukon Territory, 1962 (revised) (undated), 37.

4. Ibid.

5. Ibid.

6. Votes and Proceedings, 1963 (1st), 197.

7. Ibid.

8. YA, ROF, 10-33-4, vol. 1, D.L. Clark to W. Rudnicki, 20 December 1962.

9. Ibid.

10. R.A.J. Phillips, Canada's North (Toronto: MacMillan, 1967) 231.

11. YA, ROF, 10-33-4, vol. 1, C.P. Hughes to G.R. Cameron, 7 March 1963; Ibid., B.G. Sivertz to G.R. Cameron, 22 March 1963.

12. Votes and Proceedings, 1963 (1st), 198.

13. YA, ROF, 10-33-4, vol. 1, B.G. Sivertz to G.R. Cameron, 5 April 1963.

14. Ibid.

15. Ibid., 22 March 1963.

16. Ibid., 28 February 1963; Ibid., 5 April 1963.

17. Ibid., 5 April 1963.

18. Ibid., D.L. Clark to B.G. Sivertz, 1 May 1963.

19. Votes and Proceedings, 1963 (1st), 198.

20. YA, ROF, 10-33-4, vol. 1, D.L. Clark to B.G. Sivertz, 1 May 1963.

21. Votes and Proceedings, 1963 (1st), 288-89.

22. The membership of the corrections committee consisted of the commissioner, his executive assistant, the territorial engineer, the director of welfare, the territorial

treasurer, the legal adviser, and the RCMP inspector. The chief medical health officer was asked to join after its first meeting, and the director of vocational training and the magistrate were enlisted after the committee's third meeting. See YA, ROF, 10-33-4, vol. 1, minutes of a meeting of the corrections committee, 12 June 1963 and 17 October 1963.

23. Ibid., minutes of a meeting of the correction committee, 12 June 1963; Votes and Proceedings, 1963 (2nd), Sessional Paper No. 12.

24. Votes and Proceedings, 1963 (2nd), 21.

25. Ibid., Sessional Paper No. 24.

26. Ibid., 1963 (1st), 289.

27. YA, ROF, 10-33-4, vol. 1, minutes of a meeting of the corrections committee, 12 June 1963.

28. Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1964-65, 10.

29. YA, ROF, 1-27-3-12, vol. 1, C.B.H. Murphy to G.R. Cameron, 19 January 1966, with attached memo; Ibid., 10-33-4, vol. 1, R.A.J. Phillips to G.R. Cameron, 28 August 1963.

30. YA, ROF, 10-33-4, vol. 1, K MacKenzie to G.R. Cameron, 20 March 1963.

31. Votes and Proceedings, 1966 (1st), Sessional Paper No. 15; Whitehorse Star, 17 March 1966, 13.

32. YA, ROF, 10-33-4, vol. 3, C.P. Hughes to G.R. Cameron, 5 January 1966.

33. Whitehorse Star, 17 March 1966, 22.

34. YA, ROF, 10-33-4, vol. 3, director of the Northern Administration Branch, Department of Northern Affairs and National Resources to G.R. Cameron, 10 March 1966; Votes and Proceedings, 1966 (1st), Sessional Paper No. 15

35. Votes and Proceedings, 1966 (1st), 394; Whitehorse Star, 4 April 1966, 6; YA, ROF, 10-33-4, vol. 3, director of the Northern Administration Branch, Department of Northern Affairs and National Resources to G.R. Cameron, 10 March 1966.

36. Votes and Proceedings, 1966 (1st), 394.

37. YA, ROF, 1-20-1-5, minutes of a meeting of the corrections committee, 31 March 1966.

38. Votes and Proceedings, 1966 (1st), 397, 399.

39. Ibid., 421.

40. Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1967-68, 23.

41. YA, ROF, 10-33-4, vol. 4, minutes of a meeting of the corrections committee, 17 January 1967.

42. Ibid., V.L. Ogison to J.W. Hawthorne, with handwritten comments by G.K. Fleming, 14 December 1966.

43. Ibid.

44. Votes and Proceedings, 1967 (1st), Sessional Paper No. 34.

45. YA, ROF, 10-33-4, vol. 4, minutes of a meeting of the corrections committee, 9 March 1967; Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1967-68, 23.

CHAPTER 5

The Reorganization of Government

"We are trying to work in a 1967 situation with a 1898 model...." [1]

Commissioner Jim Smith made the above comment to the territorial council at the outset of a government reorganization that absorbed a great deal of his attention and that of his assistants during the latter half of the 1960's. The structure of government had already been the subject of a federal royal commission in the early part of the decade; Prime Minister Diefenbaker had appointed the Glassco Commission to suggest ways of producing a more efficient and economical operation in Ottawa.[2] Following a period of rapid expansion in the early 60's when each new department created was simply "appended to the existing structure without much thought", the senior level of the Yukon government turned to the same task. [3]

Although much of the restructuring work was carried out by the commissioner and his assistants with the guidance of various consulting firms, federal priorities profoundly shaped the final outcome of the reorganization. Ottawa's decision to exercise more direct control over the resource sector in the Yukon largely narrowed the commissioner's scope of responsibilities to the territorial administration. This development, coupled with more vocal demands by the Yukon council for a greater measure of responsibility, led to the formation of the Executive Committee. For the first time in the Yukon's history, elected representatives were given a role in overseeing the administration of government departments. The reorganization resulted in a sharper division between the federal and territorial administrations, and ultimately what emerged was a more distinct Yukon government.

The personnel office

The seeds of the government reorganization, which began early in 1967, lay in the development of a central personnel office within the Yukon government. The growth of the government in the early 60's had brought a corresponding jump in the size of the civil service. It has been estimated that in 1956 fewer than 200 people worked within the territorial administration; by 1963 the number was approaching 500.[4] The hiring of employees was the commissioner's prerogative, but other personnel matters were generally handled by individual departments with the assistance of the territorial treasurer, who was responsible for reviewing salaries, and the departmental accountant. Commissioner Cameron was, however, dissatisfied with this loose arrangement.[5] Nor did he find much comfort in the territory's Public Service Ordinance, which he characterized as "hopelessly out of date and years behind the times."[6] Although he assigned his administrative assistant to help ensure a measure of co-ordination throughout the government, he was by 1963 convinced the government needed a professional personnel officer.[7]

Cameron turned to Ottawa with his concerns and in a subsequent report the head of the personnel division for the Department of Northern Affairs and National Resources, W.R. Luyendyk, agreed with the commissioner. Luyendyk recommended a central service with a personnel officer who could provide professional advice to department heads and policy advice to the commissioner.[8] He also found the Public Service Ordinance inadequate; the civil service had outgrown it, and it was time for legislation that reflected the modern principles of personnel management.[9]

While the commissioner was concerned with personnel administration within the government, the territorial council was becoming alarmed about what civil servants' salaries were costing taxpayers.[10] At the commissioner's request Ottawa agreed to set up an independent salary commission to study the issue.[11]

The commission, which included two federal civil servants and an employee of British Columbia Hydro, did not side with the council; instead, it found salaries in the territorial government inadequate. In accordance with its recommendations certain categories of employees received pay increases as of October 1965, and the whole civil service was granted a 10 per cent raise at the outset of the 1966 fiscal year.[12]

The commission's study was not intended to be the final work on revamping the salary structure within the government. The time assigned to complete its review did not allow for a detailed study of individual positions; it was to "conduct a survey of the general salary situation" within the government.[13] Its recommendations made it clear that the work it had begun should continue. The government's pay schedule needed revision and the classification system should be reviewed; it had also left questions about such benefits as housing and travel allowances to the government to examine.[14]

This work fell to a personnel committee set up in early 1966. The committee, which was chaired by the administrative assistant, included the executive assistant, the territorial engineer, and the territorial treasurer; it also had the continued assistance of Ottawa in the person of the deputy personnel adviser from the Department of Northern Affairs and National Resources.[15] One of the committee's first tasks was to assist in establishing a personnel office and hiring a personnel director, who joined the government in June.[16] It worked throughout the year on overhauling the pay and classification structure withing the government, and in the fall of 1966 proposals for a further wage increase and a benefits package were placed before the territorial council.[17] The Public Service Ordinance was also re-written and the new legislation approved in 1967.[18]

Government reorganization

The work on setting up a modern system of personnel administration had involved a more general examination of the structure of the Yukon government as a whole, and this had revealed significant weaknesses. Because of the general tendency to set up a new department for each new responsibility the government took on in the early 60's, the commissioner and his assistants were by late 1966 responsible for 18 territorial and federal agencies.[19] In addition to the burden the existing structure put on the commissioner and his assistants, there was a considerable duplication of effort; even the smaller departments, which in some cases had as few as three employees, had to provide many administrative services for themselves, which was both inefficient and costly.[20] Departments also generally lacked senior staff to act as a back-up to department heads.[21] The reorganization was designed to overcome these problems by streamlining the government to make it more efficient and economical.[22]

During its deliberations, the personnel committee had recognized an informal hierarchy of territorial departments, a hierarchy acknowledged in the adoption of two pay scales for department heads, as recommended by the salary commission.[23] Hence, it was natural that "senior" departments, such as education and engineering, would absorb smaller departments. Vocational training, for example, became part of the Department of Education, and the Department of Municipal Affairs and Housing Department was combined with Engineering and Public Works.[24]

The reorganization also grouped together functions previously performed by different departments. In 1967 the territorial secretary was already responsible for the registration of motor vehicles and vital statistics. He took over the additional responsibility for registering joint stock companies, corporation securities, and societies from the legal adviser.[25] As the commissioner explained to the territorial council, having the legal adviser involved in the day-to-day conduct and supervision of what were "essentially clerical duties" was a poor use of his time and skills.[26] The move had the added advantage of providing a central location for services to the public.[27]

The need to centralize services to government departments was also a prominent feature of the reorganizational plan. To this end a new Department of Administrative Services was established with responsibility for personnel, housing, and government records, and a central mailing system was developed within the Central Registry.[28] Considerable attention was also paid to the development of a central purchasing and inventory control system for the government. Studies on such a central agency had begun under Commissioner Cameron, who believed that greater expense and insufficient control resulted from each department handling its own purchasing.[29] A study commissioned in the late 60's confirmed the added cost of a decentralized system; it found the average cost of processing a purchase order within the government was twice the acceptable level.[30] To lower costs and avoid a duplication of effort throughout the government, a central purchasing and inventory control unit was set up within the Department of Engineering and Municipal Affairs.[31] Although initial plans called for it to be transferred to the Department of Administrative Services when office space became available, it was moved to the Treasury Department in the early 1970's.[32]

As the reorganization proceeded during the late 1960's, other changes in the initial scheme were made in response to new circumstances or problems that developed. Plans to include Liquor Control Department within the Department of the Territorial Secretary and Registrar General were scrapped in favour of a proposal to move towards an independent board to administer liquor.[33] The inclusion of a housing division within the Department of Administrative Services was recognized as an inappropriate match, as the bulk of the work dealt with the provision of low cost housing and building inspections, not staff housing; it was reassigned to the Department of Engineering and Municipal Affairs.[34] This amalgamated department was itself relatively short-lived. By 1968 the growth of the Municipal Affairs Branch and the increased emphasis on promoting community development had made the combination less tenable; Municipal Affairs again became a separate department the following year.[35]

Federal administration in the Yukon

The most significant revision to the initial organizational plan was made in relation to the federal government's resource responsibilities. During 1967 a single department known as the Resource and Recreation Group was established; it combined the recreation director and the territorial departments responsible for travel and publicity, game, and the library system with the federal agencies overseeing lands and forests.[36] The executive assistant was assigned to head the group, and the departmental accountant, a federal employee attached to the commissioner's office, provided administrative services for the territorial component of this new department, as well as financial and personnel services for the federal branches.[37]

The combination of federal and territorial agencies in one department was possible because of the commissioner's responsibilities as the head of both the territorial government and the operations of the Department of Indian Affairs and Northern Development in the Yukon. In the mid-60's this dual role had led to an active discussion among the commissioner and his assistants about making the department's federal employees stationed in the territory part of the territorial civil service.[38] Decisions in Ottawa soon made such a proposal obsolete.

In 1966 a new branch, the Resource and Economic Development Group, was established within the Department of Northern Affairs and National Resources with responsibility for mining.[39] Apart from the mining inspector's requirement to report to the commissioner regarding territorial ordinances he was administering, the move took the mining inspector and mining recorders out of the Yukon administration.[40] They reported directly to the new branch while the remaining components of the federal resource administration were answerable through the commissioner to the department's Northern Administration Branch.[41]

In late 1967 Ottawa took steps to complete this separation. The responsibility for lands and forests were transferred to the Resource and Economic Development Group in November.[42] Ottawa also revived the idea of a federal official in the Yukon responsible for the overall co-ordination of the resource administration. This position had existed in early 60's when the commissioner's executive assistant had held the additional title of superintendent of resources, but the federal government had decided not to fill the position shortly after the commissioner had complained it constituted too much work for his assistant.[43] In early 1968 the position was restored, and Ottawa appointed Gordon McIntyre, the federal lands supervisor in the territory, the regional director of resources. In contrast to the early 1960's, however, this official was not tied to the commissioner. McIntyre reported directly to the Resource and Economic Development Group.[44]

These developments drew a clearer line between territorial and federal responsibilities in the Yukon. They also provided an opportunity to sort out the overlapping components of the two administrations that had been a feature of government in the Yukon since its inception. Initiatives were already being taken in this regard; during the process of establishing a new personnel program, federal employees performing territorial jobs had been identified.[45] As a result the central registry, which originally had provided a filing system for both the federal and territorial administrations, became a solely territorial agency in 1967, and its remaining federal employee joined the territorial civil service.[46] In conjunction with reorganization of the resource administration, the departmental accountant and his staff, who until this point had been part of the commissioner's office, were transferred to the control of the new regional director of resources.[47]

The separation of the territorial and federal administrations also raised questions about the system of land disposal in the Yukon. Since 1963 the administrative responsibility for lands under Ottawa's direct jurisdiction and those under the commissioner's control had been in the hands of the federal lands supervisor whose staff included both federal and territorial employees.[see Chapter 3] Even though a continuation of this system would have been out of step with the general direction in this period, the commissioner favoured it on the grounds that it allowed for better co-ordination and control of land sales.[48] The assistant commissioner (executive), who at that time was an official on temporary assignment from Ottawa, did not agree; he suggested that commissioner's lands be placed under the control of the territorial Department of Municipal Affairs, and this view carried the day.[49]

The assistant commissioner's view about the lands administration in part resulted from a belief that a single system was more prone to jurisdictional and other conflicts, but his thinking was also influenced by Ottawa's involvement in implementing the recommendations of the Carrothers Commission on the development of government in the Northwest Territories.[50] In 1966 the commission released its recommendations which included a call for a separate territorial civil service located in Yellowknife.[51] The federal decision to implement this recommendation would have naturally made Ottawa more conscious of the need for a proper separation of territorial and federal responsibilities in the Yukon.

Although the recommendations of the Carrothers Commission had an influence on federal views about the Yukon administration, Ottawa was also motivated by a desire for a more direct hand on its resource responsibilities. In the latter half of the 1960's the Department of Indian Affairs and Northern Development was on the threshold of realizing its dreams for the economic development of the north. In 1967 two new mines opened in the Yukon in 1967: the Clinton Creek asbestos mine northwest of Dawson and the New Imperial Mines' copper mine in Whitehorse.[52] Three other mines were on the horizon, including Cyprus Anvil's $63 million operation in Faro.[53] The Resource and Economic Development Group had been formed to help ensure the rapid pace of economic progress in the territory.[54]

The push for autonomy

As Ottawa was extracting its responsibilities for resources from direct administration by the commissioner, the Yukon council was pushing to extract itself from federal control. With the failure of the Advisory Committee on Finance to provide an effective medium for the council's desires, its members increased their demands for more substantive changes in the relationship between the Yukon and Ottawa and between the council and the administration. The separation of the territorial and federal administrations had significant repercussions for the question of the territory's political development.

In 1965 the council approved a motion calling on Ottawa to draw up a timetable for the phasing in of provincial status.[55] The following year it took the agenda into its own hands and laid out its views on the territory's constitutional development in what it called an autonomy motion. Its provisions included the call for an expanded council of 15 members to be known as the Yukon Legislative Assembly, the extension of provincial status to the territory in twelve years, and the creation of a new executive body, to be known as the Executive Committee, with full powers over territorial and federal responsibilities in the Yukon.[56]

Ottawa had no interest or intention in sharing its control over the Yukon's resources, but with the resource administration out of the grasp of council, the prospect of giving executive responsibilities to some of its members became much more realistic. As the assistant commissioner (executive), Frank Fingland, put it when he spoke to a conference in 1968, "the separation of all territorial government departments from federal resource administration has brought a more precise demarcation between the respective roles of the two governments which has cleared the decks for constitutional progress."[57]

Although a path had been opened for political development, the course was not a smooth one. Relations between Ottawa and the council in the late 60's resembled two armed camps. The two sides had waged a protracted battle over Ottawa's insistence that a greater share of the territory's revenues be raised locally.[58] The council on the eve of an election campaign refused, and the federal government responded by using its financial clout and cutting federal grants to the territory.[59] In early 1968 the council agreed to the new tax levies in exchange for a promise that the minister would try to ensure the council had an opportunity to express its views on the government's proposed white paper on constitutional development for the north.[60] The white paper, which proposed a regional government system in which the relationship between Ottawa and the Yukon would have been analogous to that between a province and a major municipality, was never released.[61] In 1969 the federal government fell back on the model used in the old North-West Territories and proposed the creation of an executive committee.[62] Even then the proposal was unacceptable to the council. The offer of only one seat on the new body for a member of the council was seen as too little, too late; as one councillor characterized it, it was nothing short of a "galling insult."[63]

During the stalemate between Ottawa and the council over the membership of the executive committee, Commissioner Smith went ahead with the formation of the new committee, which initially consisted of himself and the two assistant commissioners.[64] Later in the year Ottawa relented and agreed to the inclusion of two elected representatives. On November 27, 1970 Hilda Watson and Norman Chamberlist were appointed to the Executive Committee with responsibility for education and health, welfare and rehabilitation respectively.[65] With these appointments the Yukon achieved another step in its constitutional development, one that set the stage for the advent of responsible government in 1979.

The final phase of the reorganization

In conjunction with the formation of the Executive Committee, the reorganization underway since 1967 reached at its final stages. The Department of Tourism, Conservation and Information Services was formed, consisting of most of the territorial agencies which had previously been part of the Resource and Recreation Group; the recreation director, however, had been assigned to the Department of Education.[66] The amalgamation of the Department of Public Welfare with the Corrections Department and the Yukon Hospital Insurance Service, which had been under the administration of the territorial treasurer, was also accomplished, as it had been planned in 1967.[67] Although these consolidations reduced the number of departments within the government, the result was not fully integrated departments. They had no department heads responsible for co-ordinating their activities; instead, each branch reported separately to the responsible executive committee member, and the co-ordinating function was left to this level of the government.

The final stages of the reorganization also saw other initiatives designed to improve the administrative and planning capabilities of the government. A wholesale reorganization of the Department of Treasury was undertaken to overcome weaknesses in its ability to provide for the effective financial management of the government.[68] The Administrative Services Department was also revamped as an agency that would provide guidance in financial, personnel, and administrative matters and placed under the commissioner's control.[69] It included the personnel adviser and the clerk of council, who oversaw a secretariat originally set up as part of the Territorial Secretary Department to provide support to the council and various committees.[70]

Two new positions were also created and included in the new Department of Administrative and Legislative Support Services: a financial adviser and a statistical and planning adviser.[71] The latter position shows the influence of various consulting firms on the reorganization. In 1968 the Carr report on the Yukon economy had called for the creation of an agency within the territorial government that could keep up-to-date statistical data on the territory's development.[72] A Chicago firm, Public Administrative Services, suggested the government was lacking an independent agency within its structure that could be responsible for planning in connection with new functions it undertook or organizational changes.[73] These two recommendations were incorporated in the appointment of the statistical and planning adviser.

Administrative and Legislative Support Services was a key department and not surprisingly the only one within the government under the commissioner's direct control. It was to be an important arm in the government during the next stage of its development: the transfer of additional responsibilities from the federal government. Throughout the reorganization an eye had been kept on transfers such as the administration of justice, which by 1970 was well-advanced. The Department of Health, Welfare and Rehabilitation had been formed with a view to a transfer of the health care system back to territorial control.

The transfer of additional responsibilities to the Yukon government was a logical step following this period of reorganization. Although it had strengthened the government through the consolidation of functions and centralization of services, more had been accomplished in the late 60's than the restructuring of the governmental machine. Ottawa's concern about separating the federal and territorial responsibilities that resulted from its work in the Northwest Territories and its own desire to direct development in this period of economic expansion in the Yukon had resulted in a more clearly defined territorial government. One of the tasks remaining was to begin to hand over to this government responsibilities now in federal hands.

NOTES

1. Votes and Proceedings, 1967 (1st), 112.

2. The Royal Commission on Government Reorganization, headed by J. Grant Glassco, was appointed in 1960. See Whitehorse Star, 22 September 1960, 10.

3. YA, ROF, 10-25, vol. 1, J. Smith to federal and territorial department heads, 14 March 1967.

4. YA, ROF, 1-27-3-11-E, W.R. Luyendyk, A Study of the Yukon Territorial Public Service Ordinance and of Personnel Administration in the Public Service (19 August 1964), 1.

5. YA, ROF, 10-24, vol. 2, G.R. Cameron to B.G. Sivertz, 7 June 1963; Ibid., 8 July 1963.

6. Ibid., 8 July 1963.

7. Ibid., 7 June 1963.

8. YA, ROF, 1-27-3-11-E, W.R. Luyendyk, A Study of the Yukon Territorial Public Service Ordinance and of Personnel Administration in the Public Service (19 August 1964), 19-20.

9. Ibid., 3

10. YA, ROF, 1-27-3-12, G.R. Cameron to R.J. Smith, 11 February 1966.

11. Ibid.; Ibid., G.R. Cameron to territorial department heads, 21 September 1965.

12. YA, ROF, 1-27-3-12, G.R. Cameron to territorial department heads, 11 March 1966; Votes and Proceedings, 1966 (2nd), Sessional Paper No. 35.

13. YA, ROF, 1-27-3-12, E.A. Cote to G.R. Cameron, 30 September 1965.

14. Ibid., G.R. Cameron to territorial department heads, 11 March 1966.

15. YA, ROF, 1-27-3-11, G.R. Cameron to D.A.W. Judd, 28 January 1966.

16. Ibid., minutes of the personnel committee, 12 April 1966.

17. Ibid., G.K. Fleming to the personnel committee, 18 February 1966. This document sets out the various stages for the job classification and salary review; see also Ibid., W.G. Ritchie to G.R. Cameron, 3 May 1966, for an update on the

work of the personnel committee; Votes and Proceedings, 1966 (2nd), Sessional Paper No. 35.

18. O.Y.T., 1967 (1st), Chapter 10.

19. YA, ROF, 10-25, vol. 1, J. Smith to federal and territorial department heads, 14 March 1967. The federal and territorial agencies that were under the commissioner's control in late 1966 were enumerated in this memo as follows: the Commissioner's Office; Central Registry; Departmental Accountant; Territorial Treasury; Department of Engineering and Public Works; Municipal Affairs and Housing Development; Personnel; Travel and Publicity; Regional Library; Vocational and Technical Training; Education; Yukon Forest Service; Supervisor of Lands; Senior Advisory Counsel; Territorial Secretary; Welfare; Liquor Control; and Corrections.

20. Ibid.

21. Ibid., notes by K. Fleming, 9 May 1967.

22. Ibid., J. Smith to federal and territorial department heads, 14 March 1967.

23. YA, ROF, 1-27-3-11, minutes of the personnel committee, 22-23 February 1966; YA, ROF, 1-27-3-12, G.R. Cameron to territorial department heads, 11 March 1966.

24. YA, ROF, 10-25, vol. 1, J. Smith to federal and territorial department heads, 14 March 1967.

25. Ibid.

26. Votes and Proceedings, 1967 (1st), 106.

27. Ibid.

28. YA, ROF, 10-25, vol. 1, J. Smith to federal and territorial department heads, 14 March 1967.

29. YA, ROF, 10-24, vol. 2, G.R. Cameron to B.G. Sivertz, 7 June 1963.

30. YA, ROF, 10-20-10, vol. 2, J. Smith to all department heads, section chiefs and all staff, 9 September 1969.

31. YA, ROF, 10-25, vol. 1, J. Smith to federal and territorial department heads, 14 March 1967.

32. Ibid.; Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1972-73, 33.

33. YA, ROF, 10-25, vol. 1, F.B. Fingland to J. Smith, 26 January 1968.

34. Ibid., G.R. Strong to G.K. Fleming, 8 January 1968, with handwritten response from Fleming; YA, ROF, 10-20-10, vol. 2, J. Smith to territorial department heads, 14 February 1968.

35. Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1969-70, 20.

36. YA, ROF, 10-25, vol. 1, J. Smith to all federal and territorial department heads, 25 January 1967.

37. Ibid.

38. YA, ROF, 10-24, vol. 3, G.R. Cameron to E.A. Cote, 5 May 1965.

39. Whitehorse Star, 9 June 1966, 21.

40. YA, ROF, 10-25, vol. 1, J. Smith to all federal and territorial department heads, 14 March 1967. Gordon McIntyre was both the supervising mining recorder and the superintendent of lands in 1966; in the former capacity he reported to the Resource and Economic Development Group and in the latter to the commissioner.

41. Whitehorse Star, 9 June 1966, 21.

42. Votes and Proceedings, 1967 (2nd), Sessional Paper No. 39.

43. Whitehorse Star, 15 December 1960, 24; YA, ROF, 10-24, vol. 6, F.H. Collins to director of the Northern Administration Branch, 21 November 1961; Ibid., J.F. Delaute to the heads of the Travel and Publicity Department, Game Department, the mining recorders, mining inspector and supervisor of lands.

44. YA, ROF, 10-24, vol. 5, J. Smith to department heads, 16 May 1968.

45. YA, ROF, 1-27-3-11, W.G. Ritchie to G.R. Cameron, 3 May 1966.

46. YA, ROF, 10-24, vol. 4, J. Smith to K. MacKenzie, 9 January 1967; Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1968-69, 7.

47. Ibid., vol. 5, E.A. Cote to J. Smith, 6 December 1967.

48. Ibid., J. Smith to E.A. Cote, 15 December 1967.

49. YA, ROF, 1-27-3, vol. 3, R.L. Kennedy to J. Smith, 29 January 1969.

50. Ibid.

51. R.A. Hodgkinson, Reorganization for Northern Development: Recent Changes in the Administration of the Northwest Territories (Ottawa: Carleton University, April 1971), 44.

52. Canada, Department of Indian Affairs and Northern Development, *Annual Report of the Department of Indian Affairs and Northern Development, 1967-68*, 32.

53. *Ibid.*, 36.

54. *Ibid.*, 29.

55. *Votes and Proceedings*, 1965 (2nd), 643.

56. *Ibid.*, 1966 (1st), 708.

57. Frank Fingland, "Critical Review of Constitutional and Political Development in Northwestern North America," presented at the Alaska Science Conference (August 1968), 7.

58. This is fully discussed in J.D. Hillson's thesis, *Constitutional Development of the Yukon Territory, 1960-70* (Unpublished M.A. thesis, University of Saskatchewan, Saskatoon, 1973), 74-81.

59. *Ibid.*, 74-75.

60. *Ibid.*, 80.

61. *Ibid.*; James Smith, "The Great Constitutional Crisis, 1966-1968," *Proceedings of the Spring Meeting of the Yukon Historical and Museums Associations* 1 (1981): 29-30.

62. Hillson, *Constitutional Development of the Yukon Territory*, 124-125.

63. *Votes and Proceedings*, 1969 (3rd), 3.

64. YA, ROF, 10-25-0, vol. 1, J. Smith to department heads, 3 February 1970.

65. YA, ROF, 600-10, vol. 8, appointments to the Executive Committee.

66. YA, ROF, 10-20-10, vol. 2, J. Smith to department heads and section heads, 3 November 1969.

67. YA, ROF, 10-25, vol. 1, J. Smith to federal and territorial department heads, 14 March 1967.

68. YA, ROF, 10-29-19-4-E, G.H. Newhouse and Associates Ltd., *An Organizational Review of the Territorial Treasurer's Department, Yukon Territorial Government* (January 1970), 7-8.

69. YA, ROF, 10-20-10, vol. 3, J. Smith to all department heads, 21 August 1970.

70. *Ibid.*

71. *Ibid.*

72. D. William Carr and Associates, The Yukon Economy; Its Potential for Growth and Continuity, vol. 2 (Ottawa, Department of Indian Affairs and Northern Development, July 1968), 43; YA, ROF, 1-29-19-1, vol. 3, R.A. Hodgkinson to D.W. Carr, 19 September 1969.

73. YA, ROF, 10-25, vol. 3, P.R. Malone to G.K. Fleming, 19 February 1969.

CHAPTER 6

The Beginnings of Devolution

Throughout the territory's history certain responsibilities, though assigned to the commissioner in council under the Yukon Act, were performed by the federal government. The administration of justice had been in Ottawa's hands since the creation of the territory. The federal government had gained responsibility for the delivery of health care and the Whitehorse General Hospital in the late 1950's. Ottawa had also carried out the maintenance on the Alaska Highway since the Americans handed it over to Canada in 1946. During the latter half of the 1960's Ottawa became more interested in transferring responsibility for provincial-type services to the territorial administration, and in the succeeding decade this attitude led to the beginnings of a devolutionary process through which the territory gained increased responsibilities and additional federal funding to perform its new functions. Despite this general policy, not all the territory's efforts to secure the transfer of programs to its control were successful. Changing circumstances, particularly a shift in federal policy regarding aboriginal peoples, led Ottawa to pull back on some transfers and frustrate territorial attempts to increase its range of responsibilities.

The justice transfer

The first significant development that pointed the way to a transfer of the administration of justice to the control of the Yukon government came in 1962. In its report on the 1962-67 financial agreement between Ottawa and the territory, the Interdepartmental Committee on Federal-Territorial Financial Relations recommended a financial arrangement similar to that used in the delivery of health care; the territory would contribute a portion of the costs incurred in providing police services and the other aspects of the justice system administered by the federal government, such as the courts.[1] It set the level of the Yukon government's contribution at 50 per cent of the total cost, or $388,500 for the 1962-63 fiscal year; this was later reduced to $345,715 when the federal cabinet determined that the territory should only pay 40 per cent of the cost of police services.[2] Although the interdepartmental committee had concluded the time had come for the territory to pay a share of the costs for RCMP and judicial services, the money needed to meet these new costs was included in the territory's operating grant under the five-year agreement; thus, the effect of the new deal was simply to funnel the money for the justice system through the territorial government.

This arrangement was conceived by the federal Treasury Board as a means of giving the territory an idea of the increased costs it would face with provincehood.[3] It was a strategy that backfired as the territorial council became increasingly frustrated with voting money for a responsibility over which the Yukon had no control. The arrangement strengthened its resolve for a territorially-run justice system, which it won along with increased funding from the federal government to administer it.

Throughout the 1960's the council voiced numerous complaints about the administration of justice in the Yukon. It wanted, for example, an end to the practice of holding court in police barracks, more frequent court circuits, and greater details provided with the justice estimates it approved.[4] But its chief grievance concerned the lack of adequate legal staff, which did not permit the attention to the legislative work of the council it wanted.[5] The bulk of the legal work for both the federal and territorial administrations in the Yukon lay with the legal adviser, an employee of the Department of Northern Affairs and National Resources. As the only lawyer with the government he provided legal advice to the council, the commissioner, and government departments and agencies and acted as the public administrator and the registrar of land titles, joint stock companies, societies, and corporation securities.[6] The only legal work that did not regularly fall to the legal adviser were court cases involving the territorial or federal government departments; Ottawa contracted this work out to local law firms in Whitehorse.[7] Not surprisingly requests for additional help for the legal advisor were made to Ottawa beginning in the late 50's.[8]

In its 1962 report the Interdepartmental Committee on Federal-Territorial Financial Relations did recommend the appointment of a senior legal officer responsible to the Department of Justice for the Yukon.[9] Ottawa, however, was slow to act on this recommendation, and by the fall of 1963 council had grown impatient with the delay. It called on Ottawa to appoint the legal advisor as the senior legal counsel for the government and to provide a junior solicitor to assist him with his workload.[10] To reinforce its message, it also refused to approve an ordinance that would have allowed the commissioner to enter into a police services agreement with the RCMP. [11] The council took the position that when Ottawa lived up to its end of the deal, it would pass the bill.[12] It was true to its word; when the legal adviser, Craig Hughes, was named senior advisory counsel in 1964, the council approved the legislation.[13]

Although Hughes' appointment gave the territory a legal officer responsible to Department of Justice, it did not resolve the council's basic complaint because the federal government did not provide another lawyer to assist him. Hughes continued to perform tasks he had as the legal adviser as well as supervising the court system.[14] By 1966 he estimated he was doing the work of seven lawyers, and the territory was suffering because his workload meant it was not keeping pace with progressive legislation in other parts of the country.[15]

This complaint and the others the council had about the justice system simmered and then boiled over in the mid 60's. In fall of 1965 the council refused to pass supplementary estimates for justice worth $5,010 to protest against federal inaction.[16] The following year it resorted to what it called "shock tactics to jar the Department of Justice" and refused to approve the entire justice vote.[17]

In refusing to pass the estimates the council exercised the only power it had over the justice system in the territory; indeed, it was the only real power it had over any program. But while a refusal to approve money for a territorial program would have meant an end to that program, the council's action regarding the justice appropriation had no effect. Although the commissioner of the RCMP complained about the council's cavalier attitude in refusing to vote funds while still expecting police services, the money for the Yukon's justice system was simply approved as part of the federal budget and no longer passed through territorial hands.[18]

The council's decision did, however, come at a time when the delivery of the justice system by the federal government was being called into question. In 1966 the Carrothers Commission, which examined the development of government in the Northwest Territories, recommended "a department of justice and territorial magistrates and other judicial officers, whose jurisdiction is equivalent to that of judicial officers appointed in the provinces, by provincial authority, be appointed by the commissioner."[19] A transfer of the justice function to the Yukon government was subsequently recommended in the 1967 report of the Interdepartmental Committee on Federal-Territorial Financial Relations, a move that the council supported.[20]

As a preliminary step towards the justice transfer the Yukon government hired its own legal adviser in the fall of 1967.[21] Many of the functions that had previously been part of the senior advisory counsel's job were assigned elsewhere, allowing more time for territorial ordinances and other legislative work as the council had long advocated. The responsibility for the registration of joint stock companies, corporation securities, and societies had been transferred to the territorial secretary earlier in the year.[see Chapter 5] The land titles function was transferred to the regional director of resources because Ottawa believed it should remain a federal function.[22]

In fall of 1969 the minister of justice, John Turner, acted on the recommendation of the Carrothers Commission and formally announced Ottawa's intention to transfer most of the responsibilities for the justice system to the two territorial governments in the north.[23] Although the territory's legal adviser had made a case for appointing a civil servant as attorney general for the territory instead of an elected official, Turner informed the commissioner that Ottawa would retain the attorney general function.[24] This decision contrasted with the practice in the provinces where the responsibility for criminal prosecutions involving federal legislation had been devolved to the provincial attorneys general; in the Yukon Ottawa planned to appoint a Crown attorney specifically for this purpose and end its previous practice of using local lawyers.[25] Ottawa also retained the right to appoint superior court judges as it did in the provinces in accordance with the powers assigned to it under Section 96 of the British North America Act.

The territorial council accepted the federal offer early in 1970, but it exercised its characteristic caution and made its acceptance subject to a suitable financial arrangement with Ottawa.[26] It also indicated the transfer should not go ahead until elected representatives had been named to the Executive Committee.[27] Turner showed himself to be sympathetic to the council's desire for an active role in the justice transfer. An amendment to the Yukon Act that allowed for the repeal of sections dealing with the administration of justice indicated Ottawa was only to take this action after consultation with the territorial council.[28] The justice minister also wrote to the minister of Indian affairs and northern development to ensure that adequate financing would be made available to allow the territory to assume the full costs of the justice program.[29] Once Ottawa had made the decision to proceed with a transfer, it was anxious to accomplish it as quickly as possible.

The commissioner was just as anxious to ensure that adequate financing accompany the transfer and that a provincial-type structure complete with territorial control over policy issues be put in place with the assumption of the justice responsibility.[30] Under the financial arrangements worked out between the two governments, Ottawa provided all but a fraction of the million dollars needed to administer the justice system during its first year of operation under territorial auspices and increased operating grants in succeeding years.[31] To assist with the establishment of a department of legal affairs, a British Columbia judge was hired to advise the government; the territory also enlisted help from the Alberta government in developing court procedures.[32] In April 1971 the transfer of justice was effected with the coming into force of territorial ordinances that provided for courts of both civil and criminal jurisdiction and the repealing of corresponding sections of the Yukon Act.[33]

Alaska Highway transfer

The transfer of the responsibility for the maintenance of the Yukon portion of the Alaska Highway and the Haines Road did not involve the same complexities as the justice transfer. The federal cabinet had indicated its willingness to give the territory responsibility for the highway's maintenance when the Department of Public Works took over the program from the Canadian army in 1964.[34] The government had an agency to carry out the task in its Department of Highways and Public Works. Nor was money an issue; Ottawa continued to pay all the costs for the highway's maintenance.[35]

The negotiations on the transfer did, however, involve close to 150 federal employees, making the personnel transfer the largest single issue facing the territorial government in assuming control of the maintenance program.[36] The general policy on such transfers recognized employees' years of service with the federal government when they joined the territorial public service for the calculation of vacation leave or severance pay; employees were also allowed to transfer any accumulated vacation or sick leave credits.[37] But the territorial government's housing policy dictated that its employees had to pay an economic rent, and this policy provoked some complaints from employees used to the subsidized rates they paid while part of the federal civil service.[38] The Yukon government's decision to 'red-circle' certain positions was apparently a factor in the decision by a few federal employees not to join the territorial government.[39] Still, nearly 90 per cent of the federal employees offered employment accepted when the transfer of the highway maintenance program proceeded in April of 1972.[40]

Fisheries transfer

Although discussions on program transfers to the Yukon government in the 60's and early 70's focussed on responsibilities assigned to the commissioner in council under the Yukon Act, the territory did seek to have the federal responsibility for fresh water fisheries delegated to its control. Nor was this first time it had made such a request. In 1945 as a result of a petition from the Fish and Game Association, the territorial council asked Ottawa to place the administration of fisheries in territorial hands, but Ottawa refused.[41] A similar request in the mid-60's, however, drew a favourable response.[42] The Department of Fisheries proposed the transfer of the administration and management of fresh water fisheries, the licensing of sports and commercial fishing, and the enforcement of regulations while it retained responsibility for salmon and other anadromous fish and fisheries research.[43] Although the council had some misgivings about taking over a responsibility that would cost the government roughly $50,000 annually while yielding only about a quarter of that amount in revenues, it approved a series of motions in favour of the transfer.[44] In late 1968 the commissioner informed the Department of Indian Affairs and Northern Development that the council had agreed to the takeover and suggested April of 1969 as a possible date for the transfer.[45]

Although the editor of the Whitehorse Star accused the council of vacillating when it debated whether to accept the initial offer from the Department of Fisheries, it was Ottawa that had a change of heart.[46] For more than two years it kept the territory dangling over whether the transfer would proceed, and when a new proposal was discussed with the commissioner, it had been trimmed considerably. Ottawa was only willing to transfer the administration for fresh water sports fishing which would give the territory responsibility for the distribution and sales of these fishing licenses and allow it to make recommendations on sport fishery regulations.[47] The revenue from such a transfer was estimated at $38 thousand, all of which would accrue to the territory, while the costs were "minimal", and the council consequently agreed to the transfer, which was completed in the fall of 1972.[48] With this transfer the territory had to face that it was ultimately Ottawa that dictated the pace and scope of its increased powers, and this was a lesson that was even more graphically brought home with other proposals that failed to yield the transfer of responsibilities that were either sought or offered.

A proposal to transfer services to Indians

During the 1960's the federal government had delegated its responsibility for the provision of education, health care and child welfare services for status Indians to the provincial governments; with the exception of health care, it had done the same with the Yukon.[see Chapter 3] By 1969 Ottawa was ready for an even bolder step away from its traditional role as the provider of services to status Indians. Early that year it proposed giving the Yukon government responsibility for administering all services to the territory's status Indians.[49] The proposal meshed perfectly with what Ottawa had in mind on a national scale. Shortly after the proposal regarding the Yukon was discussed, the minister of Indian affairs, Jean Chretien, unveiled the government's white paper on the Indian Act, which proposed repealing the federal legislation governing Canada's Indians, dismantling the Indian Affairs Branch of the department, and transferring to the provinces the responsibility for the delivery of all government services to status Indians.[50] The white paper represented the ultimate expression of the policy of integration that Ottawa had been pursuing over the previous decade.

The white paper ran up against a growing awareness among the native people that they had a right to a voice in their own future. Although Chretien maintained the proposal was the result of consultation with the native people, the Indian people did not believe their desires were reflected in the proposal.[51] They saw Ottawa's proposals as an abrogation of its responsibilities that would amount to "cultural genocide."[52] In the face of mounting opposition Ottawa agreed to withdraw the proposal in 1971 and promised no amendments to the Indian Act without the agreement of the native people.[53] Similarly nothing came of its suggestion regarding the delegation of the responsibility for Indian services to the Yukon government.

The proposed health care transfer

The events that followed the release of the white paper on the Indian Act have particular relevance for the proposed transfer of the Yukon's health care system from federal to territorial control. As a result of the backlash it faced with the white paper, Ottawa was to make sure that status Indians in the Yukon would be active participants in the discussions leading up to the transfer. The decision of the Yukon Native Brotherhood to withdraw its support for the transfer weeks before it was scheduled to go ahead suggests an uneasiness about becoming clients of the territorial government, a view similar to that which led to the demise of the white paper.

The idea of transferring responsibility for the health care system back to territorial control was discussed in the 1960's, but Ottawa regarded such a move as premature. In its report on the proposed health services plan for the 1967-72 period, the Department of National Health and Welfare took the same position it had in 1962.[see Chapter 2] There were still too many health problems in the Yukon, and continued efforts were needed to improve public health services.[54] The department also doubted the territory's ability to attract and keep suitably-trained senior staff for the system.[55]

Ottawa showed more interest in handing over its responsibility for hospital care. By the mid-60's the Department of National Health and Welfare believed the territory had gained sufficient expertise through its continued operation of the territorial hospitals in Dawson and Mayo to warrant a transfer of responsibility for the Whitehorse hospital.[56] It also wanted to lessen its financial burden. By 1966 the cost of running the Whitehorse hospital was close to $44 per patient day, and the federal government again tried to get a larger financial contribution from the territorial government towards its operations.[57] The government, however, refused to increase the $25 per diem rate during the life of the 1962-67 financial agreement, even though it had already raised the level of support for the hospitals it administered in Dawson and Mayo to $40 a day.[58]

The proposal to transfer the Whitehorse hospital to territorial control never materialized. Concerns about its abilities to fund a growing number of hospitals and health stations led the territorial government in the opposite direction. When new facilities were built in Watson Lake, Faro, and Old Crow, they were federally controlled. In 1969 the territorial council approved a new hospital for Dawson, which when completed the following year was to be in federal hands.[59] This development would have left Mayo as the only hospital in the Yukon administered by the territorial government, a situation the commissioner did not favour. He wanted one government in charge of all the hospitals to ensure efficient administration and uniform standards throughout the Yukon.[60] Nor did he believe the Yukon was financially or administratively ready to assume this responsibility.[61] At the commissioner's suggestion the council agreed to the transfer of the Mayo hospital to federal control. Although Ottawa had initially been reluctant because the transfer went against its general policy of transferring provincial-type services to the Yukon, it concurred with the move.[62] The territory's decision again shows how monetary concerns frequently caused it to hesitate over increasing its responsibilities.

Certainly the commissioner believed the critical question regarding an overall transfer of health care to territorial control was what it would cost the Yukon, and thus, the first step in the process was to ascertain the true costs involved in the operation of the health care system.[63] The main stumbling block in assessing the costs for the Yukon was the regional organization of the system, which included the territory in a larger northern region with the Northwest Territories.[64] On the basis of a task force report that showed the region's size was making the system increasingly unmanageable, Ottawa agreed to set up a separate Yukon region of the Medical Health Service Branch in 1974.[65] The commissioner also secured federal approval for a change in the way contributions towards the operating costs of hospitals were levied, aimed at reaching a better assessment of what hospital care would cost under a Yukon-run system.[66] The practice of providing funding based on a per diem rate was abandoned in favour of a territorial contribution fixed at 50 per cent of the total operating costs of hospitals in the territory.[67]

These measures cleared the way for negotiations on funding arrangements that would accompany a health care transfer. Ottawa, however, introduced an element into these negotiations that the Yukon government had not previously had to deal with in transfers of this kind. It informed the territorial government that the Yukon Native Brotherhood would be a party to the negotiations. The Yukon government objected on the grounds that although a discussion on Ottawa's constitutional responsibilities for native health care was an appropriate subject for land claim negotiations, the health care transfer was a separate issue; it was designed to provide one system of health care for all Yukon residents.[68] But on this point Ottawa was firm; the native organization would be involved in the negotiations leading up to a transfer.[69]

By 1977 active work was proceeding on the transfer. Various committees were determining the details that would go into a deal between the two governments and the Yukon Native Brotherhood, and in October the brotherhood gave approval in principle to a three-party agreement on Indian health services.[70] April 1, 1978 was set as the date for the transfer. In mid-January the Whitehorse Star published a story that had an ominous tone for proponents of the transfer.

> Yukon Indians have so far refused to sign the agreement transferring health services and facilities to the territorial government from Ottawa, thereby possibly quashing the agreement, a reliable source told the Star today. Whether they will change their stance was not known at press time.[71]

The Yukon Native Brotherhood did not change its stance; early in February it informed the federal government it would no longer support the transfer.[72] Ottawa consequently decided it would not proceed as had been scheduled.[73]

In public comments made after the native brotherhood's decision, its president, Willie Joe, cited three main reasons for the organization's refusal to approve a health care deal. It feared it could lead to a deterioration of medical services in the Yukon, particularly if health care personnel dissatisfied with the transfer decided to leave the territory rather than join the Yukon public service.[74] It indicated there was a lack of support in the Indian communities for the move to territorial control.[75] Joe also characterized the Yukon government as "immature and irresponsible" headed by a commissioner who had made an "arbitrary" use of power.[76] This latter accusation came in the midst of the Stratton inquiry into the actions of the commissioner in the dropping of charges of professional misconduct against a Whitehorse lawyer, and this provided the brotherhood with fuel for its argument.[77] Although the Yukon government argued the transfer would give the Indians guarantees they did not have under the current system and specific programs designed for them, the brotherhood remained unmoved.[78] What lay at the heart of its refusal to approve the deal was the issue of trust. The Indians believed the territorial government was unsympathetic and even antagonistic to their aspirations and given this perception, they were unwilling to see it given the responsibility for their health care.[79]

The decision by the Yukon Native Brotherhood not to support territorial control of the health care system spelled the end of the proposed transfer during the course of the 1970's. Attempts were made to put it back on track, but they met with no success.[80] The failure to accomplish the transfer pointed to the need for the Yukon government to more adequately represent both the native and non-native populations in the territory, an issue that was only beginning to be grappled with in the late 70's. Despite the unsuccessful conclusion to the negotiations on the health care transfer, the federal government had exhibited a commitment to the development of a territorial government that within certain bounds was similar to provincial administrations. Its willingness to extend increased financial assistance to the Yukon with which to carry out its new responsibilities is evidence of such a commitment, as the territory, mindful of its limited ability to raise its own revenues, often saw this as the critical factor in transfer negotiations. The achievement of these added responsibilities was a sign of the general tenor of the 1970's, which is distinguished by the growing maturity of the Yukon government.

NOTES

1. Canada, Interdepartmental Committee on Federal-Territorial Financial Relations, Report on the Yukon Territory, 1962 (revised) (undated), 36.

2. Ibid., addendum affixed as the first page of the report.

3. YA, ROF, 626-7-3, vol. 4, J.R.W. Bordeleau to E.A. Cote, 25 May 1966.

4. Votes and Proceedings, 1963 (1st), 323-325; Ibid., 1967 (2nd), 223-226; YA, ROF, 627-7-4, vol. 1, J. Turner to members of the select committee on justice of the territorial council regarding a meeting held 9 April 1969; Whitehorse Star, 9 May 1966, 3.

5. Votes and Proceedings, 1963 (2nd), 204; Ibid., 1967 (1st), 106.

6. YA, ROF 1-1-1-16, vol. 1, F.R. Bickell to F.H. Collins, 6 December 1960; Ibid., F.R. Bickell to E.R. Olsen, 8 December 1960.

7. YA, ROF, 626-7-3, vol. 2, C.P. Hughes to H. Fischer, 9 October 1963; Ibid., J. Austin to the deputy minister of northern affairs and national resources, 1 October 1963.

8. YA, ROF, 1-1-1-16, vol. 1, F.R. Bickell to E.R. Olsen, 8 December, 1960; Ibid., F.H. Collins to R.G. Robertson, 7 December 1960.

9. Canada, Interdepartmental Committee on Federal-Territorial Financial Relations, Report on the Yukon Territory, 1962 (revised) (undated), 37-38.

10. Votes and Proceedings, 1963 (2nd), 37-38.

11. Ibid., 204.

12. Ibid.

13. O.Y.T., 1964 (2nd), Chapter 2.

14. YA, ROF, 1-27-3-12, vol. 1, C.P. Hughes to G.R. Cameron, 25 November 1965.

15. Ibid., vol. 2, C.P. Hughes to J.M. Bentley, 4 April 1966; Ibid., 14 April 1966.

16. Votes and Proceedings, 1965 (2nd), 421.

17. Ibid., 1966 (1st), 1010, 1019; Whitehorse Star, 9 May 1966, 3. The council also refused to approve the justice appropriation at its fall sitting in 1966; see YA, ROF,

626-7-3, vol. 4, J. Smith to the director of the Northern Administration Branch, 28 November 1966.

18. YA, ROF, 626-7-3, vol. 4, J.R.W. Bordeleau to E.A. Cote, 25 May 1966; Public Accounts, 1966-67, 4.

19. YA, ROF, 1-29-19-15-E, Canada, Advisory Commission on the Development of Government in the Northwest Territories, Summary of the Report of the Advisory Commission on the Development of Government in the Northwest Territories (Ottawa, 1966), 17.

20. Whitehorse Star, 15 May 1967, 1; Votes and Proceedings, 1967 (1st), 180.

21. Whitehorse Star, 16 October 1967, 1.

22. YA, ROF, 10-24, vol. 5, D. Hunt to J. Smith, 15 January 1968. The administration of land titles was transferred to territorial control in 1975; plans to pass a territorial land titles ordinance and repeal the corresponding federal legislation never came to fruition, and the Yukon still administers the federal act on Ottawa's behalf.

23. YA, ROF, 627-7-4, vol. 1, press release from the Office of the Minister of Justice, 20 November 1969.

24. Ibid., P. O'Donoghue to J. Smith, 19 August 1968; Ibid., J. Turner to J. Smith, 9 May 1969.

25. Ibid., S. Samuels to J. Smith, 4 February 1970.

26. Ibid., memo prepared by P. O'Donoghue for the council's presentation to the Department of Justice, 13 January 1970.

27. Ibid.

28. Canada, Statutes of Canada, 18-19 Elizabeth II, Chapter 69, Section 12.

29. YA, ROF, 626-7-4, vol. 1, S. Samuels to J. Smith, 24 February 1970.

30. YA, ROF, 626-7-4, vol. 1, J. Smith to S.M. Hodgson, 29 December 1969.

31. Yukon Territory, Territorial Accounts of the Yukon Territory, 1971-72 [hereinafter Territorial Accounts with the appropriate fiscal year], 16, 21; see appendix V for the increased level of federal support to the territory.

32. YA, ROF, 626-7-4, vol. 2, J. Smith to H. Jessop, 17 July 1970; Ibid., J. Smith to the assistant commissioners, 17 July 1970; Ibid., vol. 3, P. O'Donoghue to J. Marcoux, 17 May 1971.

33. Four ordinances were approved during the territorial council's first session in 1971, establishing the territorial court, the court of appeal, the magistrate's court, and justices of the peace courts and providing for the appointment of magistrates, justices of the peace, and court officials. See O.Y.T., 1971 (1st), Chapters 4, 8, 10, and 12. Amendments to the Yukon Act gave the Yukon the right to establish and maintain territorial courts of both civil and criminal jurisdiction. See Canada, Statutes of Canada, 18-19 Elizabeth II, Chapter 69, Section 6. Section 12 of this act allowed for the repealing of sections of the Yukon Act that would be provided for under territorial laws, and section 11 allows the federal government to appoint judges of superior, district, and county courts.

34. K.J. Baker, "Yukon Roads," Proceedings of the Arctic Transportation Conference (Yellowknife, December 1970) (Ottawa, 1971), 190.

35. Territorial Accounts, 1972-73, 15.

36. YA, ROF, 10-28-1, vol. 1, K.J. Baker to G.K. Fleming, 6 October 1971; Ibid., 6 March 1972, with attachment.

37. Ibid., K.J. Baker to G.K. Fleming, 3 October 1972.

38. YA, ROF, 10-20-10-1, K.J. Baker to G.K. Fleming, 3 October 1972.

39. YA, ROF, 10-28-1, vol. 1, K.J. Baker to G.K. Fleming, 6 March 1972.

40. Ibid.

41. YA, ROF, YRG-1, Series 1, vol. 59, file 34362, G.A. Jeckell to R.A. Gibson, 30 May 1945; Ibid., Series 3, vol. 18, file 35561, F. Bridges to G. Black, 5 May 1947.

42. Votes and Proceedings, 1965 (1st), 292; Ibid., 1967 (1st), Sessional Paper No. 115.

43. Ibid., 1967 (1st), Sessional Paper No. 115.

44. Whitehorse Star, 8 May 1967, 2; Votes and Proceedings, 1967 (2nd), 111; Ibid., 1968 (2nd), 397; Ibid., 1968 (4th), 339.

45. YA, ROF, 10-27, vol. 1, J. Smith to J.A. MacDonald, 2 December 1968.

46. Whitehorse Star, 8 May 1967, 4.

47. Votes and Proceedings, 1972 (1st), Sessional Paper No. 5.

48. Ibid.; Ibid., 1972 (1st), 332.

49. YA, ROF, 10-33-6, A.B. Yates to E. Armstrong, 7 May 1969.

50. Whitehorse Star, 26 June 1969, 1.

51. Ibid., 17 July 1969, 19.

52. Debra Wright, Indian Self-Government (Ottawa: Library of Parliament, November 1986), 4.

53. Ibid.

54. Canada, Department of National Health and Welfare, Northern Health Service, Proposed Health Services Plan, Yukon Territory, 1967-72 (March 1966), 11.

55. Ibid.

56. Ibid.

57. YA, ROF, 10-18-3, vol. 3, R.A. Sprenger to G.R. Cameron, 28 February 1966.

58. Ibid., G.R. Cameron to W.H. Frost, 16 March 1966. The per diem rate for the Whitehorse hospital was increased to $30 on April 1, 1967 in accordance with the terms of the new financial agreement with Ottawa.

59. Votes and Proceedings, 1970 (1st), Sessional Paper No. 29.

60. YA, ROF, 10-18-5, vol. 2, J. Smith to J. Chretien, 3 June 1969.

61. Votes and Proceedings, 1970 (1st), Sessional Paper No. 29.

62. YA, ROF, 10-18-5, vol. 2, J. Chretien to J. Smith, 11 July 1969; YA, ROF, 10-18-4, vol. 3, J. Chretien to J. Smith, 1 April 1970.

63. YA, ROF, 10-18-4, vol. 7, C.H. Baker to R.L. Kennedy, 6 December 1973.

64. Ibid., vol. 5, J. Smith to M. Leclair, 1 August 1972.

65. Ibid., vol. 6, M. Lalonde to J. Smith, 25 February 1974.

66. Ibid., vol. 7, J. Smith to J. Buchanan, 25 October 1974.

67. Ibid.

68. YA, ROF, 10-18-4, vol. 8, J. Smith to J. Buchanan, 3 October 1975.

69. Ibid., J. Buchanan to J. Smith, 27 November 1975.

70. Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1976-77, 42; Whitehorse Star, 3 February 1978, 1.

71. Whitehorse Star, 19 January 1978, 11.

72. Ibid., 3 February 1978, 1.

73. Ibid., 17 February 1978, 8.

74. Ibid., 6 February 1978, 8.

75. Ibid., 3 February 1978, 1; Ibid., 10 March 1978, 10.

76. Ibid., 6 February 1978, 8.

77. Ibid.

78. Ibid., 7 February 1978, 10.

79. Ibid., 8 February 1978, 8.

80. Yukon Territory, Government of Yukon, News Release, 12 December 1978, 319/B; Ibid., 21 December 1978, 331/B.

CHAPTER 7

The Maturing of Government

In 1950 the Yukon government was made up of a handful of civil servants acting under the authority of the commissioner and providing a basic level of service to the 9,000 residents of the territory. Spending on territorial programs topped $1 million for the first time that year. In 1970 the federally-appointed commissioner with the assistance of the Executive Committee, which by the end of the year included elected representation, oversaw a budget of close to $25 million and a civil service of 800 people.[1] Nine government departments delivered a wide range of programs to a population that had doubled since the outset of the 1950's. [2]

These figures clearly attest to the growth of the territorial government in this twenty-year period, and this growth continued throughout the 70's. The development and expansion of territorially-run programs resulted in government expenditures for the 1979-80 fiscal year that exceeded $100 million, four times the 1970 level.[3] The civil service in the same period expanded to 1,500 employees spread over 19 departments and agencies.[4] The development of the Yukon government was, however, not solely a process of growth, but an evolutionary progression towards an administration with an identity separate from that of the Department of Indian Affairs and Northern Development. The reorganization of this federal department in the late 60's, which confined the commissioner's direct responsibilities to the territorial administration, was a critical step in this evolution. Along with the federal policy of handing over additional responsibilities to the Yukon government, it helped to determine the thrust of governmental development in the 70's: the building of an administration that more and more began to resemble those found in the provinces.

Intergovernmental relations

By the early 1970's there were signs of the growing stature of the Yukon government. During the previous decades the commissioner's regular contact with the federal department responsible for northern Canada had been the director of the Northern Administration Branch and its forerunners. Concurrent with Jim Smith's appointment in late 1966, however, the commissioner's position was elevated to the rank of deputy minister, allowing him "direct access" to the minister.[5] The Yukon government was also given the right to represent itself on the Interdepartmental Committee on Federal-Territorial Financial Relations, which continued to exercise financial control over the territory through the annual approval of its budget.[6] Similarly in 1970 the territory gained a seat on the Advisory Committee on Northern Development, and the commissioner joined officials from all the federal departments operating in northern Canada on the body.[7]

The task of representing the Yukon on the Advisory Committee on Northern Development eventually fell to a new agency established by the commissioner in the summer of 1974.[8] The creation of the Intergovernmental Affairs Directorate was symptomatic of the greater complexity of the Yukon's relationship with Ottawa and of the Commissioner Smith's belief in the need for greater co-ordination between the territorial government and federal departments operating in the Yukon. This belief, which Smith articulated as one of the goals of his term as commissioner, led him to seek approval for a co-ordinating body that could act as a Yukon counterpart to the Advisory Committee on Northern Development.[9] In 1967 Ottawa agreed to the establishment of the Federal Interdepartmental Co-ordinating Committee, chaired by the commissioner.[10] The committee did not measure up to Smith's hopes in the early years of its operation, and one of the tasks of the Intergovernmental Affairs Directorate was to breathe new life into it.[11]

While its relationship with Ottawa was evolving, the Yukon was also beginning to develop its own ties with other governments. In 1975 the Alaska/British Columbia/Yukon Co-ordinating Committee was formed to provide a forum for the discussion of common interests and problems shared by the three jurisdictions.[12] Although Ottawa had been reluctant in the early 70's to see such an organization give rise to formal conferences between the Yukon's commissioner and the political heads of the neighbouring governments because it would put the commissioner in a position of speaking about policy issues, conferences of this kind were instituted in 1976.[13] Other provincial governments also recognized the existence of a Yukon government, and elected representatives of the territory gained admission to meetings of their ministers.[14] This development was not, however, matched at the federal level. Guidelines developed by the Privy Council Office in the late 60's dictated that territorial representatives would be restricted to acting as advisers to federal ministers at ministeral level conferences between Ottawa and the provinces.[15] This continued to be the rule throughout the 70's and served as an on-going reminder of the territory's subordinate constitutional position.[16]

Resource and economic development

Federal control over resources was another major expression of the Yukon's territorial status. In the 70's, however, the Yukon government made a more concerted effort to increase its influence in the field of economic development. As the first goals and objectives prepared by the territorial administration in 1970's made clear, this effort was tied to the Yukon's growing aspirations for greater independence from Ottawa:

> Economic development should be encouraged since political maturity and provincial status will be achieved only when most of the financing necessary can be raised from local sources. The only way to

> develop a local tax base is to permit the exploitation of our resources to encourage the establishment of industry and business.[17]

A taxation study prepared for the federal government in the late 60's had revealed the precarious financial position of a province of the Yukon, unable to generate sufficient revenue to meet the costs of administration and yet unable to collect equalization payments because of its high per capita incomes.[18] The Yukon government's efforts to broaden its role in the economic field was an attempt to overcome the dilemma posed by these financial arguments against provincehood.

There was little question that the territory's efforts in this field would be restricted to responsibilities it currently held, as Ottawa showed little interest in relinquishing its control over the non-renewable resources. A request made in 1972 to transfer the administration of all lands in the Yukon to territorial control was rejected.[19] Nor was the federal government willing to allow the Yukon to direct a study of the territory's economic potential undertaken in the late 60's.[20] While it assured the commissioner every effort would be made to give the territory an equal voice in the manner in which the study was conducted, Ottawa was to have the final word.[21]

The report prepared by D.W. Carr and Associates on the territory's economic potential was optimistic about the Yukon's potential for growth given a sufficient level of public and private investment in its future.[22] Projects such as hydro dams and a railroad would require a large infusion of federal money, but the Carr report also contained recommendations that could be met from the territorial purse.[23] Initiatives such as improved tourist facilities and greater promotional efforts could yield a substantial growth in the tourism industry, which the Carr report predicted might be worth between $50 to $60 million annually by 1985, at least seven times higher than its value in 1967.[24] There is no doubt that Commissioner Smith put great stock in the Carr report; senior officials of the government were duly informed that all eight volumes were considered mandatory reading.[25]

This interest in the economic and resource development brought with it an expansion of the government branches involved in these areas. The Game Branch, which had operated with three staff since its creation in the late 40's and relied on federal agencies for enforcement and wildlife management, began to hire its own conservation officers and biologists to undertake these tasks. By 1976 it employed 21 people and had an annual budget of half a million dollars.[26] The Tourism and Information Branch underwent a similar period of growth during which its budget increased from $155 thousand in the 1970-71 fiscal year to close to $1 million five years later.[27] Its operations expanded to include an office in Vancouver, set up in 1970 to increase its promotion of the territory in British Columbia and the northwestern United States, and the administration of campgrounds, which it took over from the Yukon Forest Service in 1972.[28]

As these branches expanded, it was decided a restructuring of the Department of Tourism, Conservation, and Information Services was needed to allow for greater co-ordination of all the resources and economic responsibilities within the jurisdiction of the territorial government, and in 1974 the commissioner proposed the creation of a single department, to be known as Conservation and Economic Development, to oversee these areas.[29] This new department would also create for the first time within the Yukon administration a specific agency charged with the "promotion of general commercial and industrial development."[30] The idea for this agency, which was known as the Economic Research and Planning Unit when it was set up in 1976, came from the federal government; it suggested the inclusion of an economic evaluation unit within the Yukon government as a means of assisting local businessmen.[31] Although originally conceived as one department, what emerged from the lengthy planning process was two departments: Renewable

Resources, with responsibility for wildlife and resource planning and management, and Tourism and Economic Development, which were set up in the latter half of the 70's.

The increased interest in resources and economic development issues within the Yukon administration brought with it an emphasis on human resources. The Carr report foresaw the need for a much larger labour force "to meet the demands of the projected economic expansion", and it called for particular attention to be paid to the development of a skilled work force.[32] To this end a federal employee was seconded to the Department of the Territorial Secretary in 1972 to develop a program to increase the level of northern employment; four years later the Manpower Planning Branch was set up in the Department of Education to co-ordinate training and employment programs and develop policies that would allow the territory to make the best of opportunities presented by major development projects.[33] The government even considered the creation of a separate department of manpower, indicating the importance it attached to this area.[34]

Pipeline fever

While the Yukon government was putting in place structures to deal more effectively with resource and economic development issues, Ottawa and Washington were looking with growing interest at the oil and gas potential of the north, an interest sparked by the discovery of large off-shore reserves at Prudhoe Bay on the Alaskan North Slope in 1968. The energy crisis of the early 1970's had brought with it the realization of how dependent North America was on imported foreign oil, at the same time as it made the prospect of developing northern oil and gas reserves and devising means of shipping those resources south more economically viable. A variety of pipeline projects were proposed in the early 70's, but the one with the greatest impact for the Yukon and the one that emerged as the most likely to be built was the Alaska Highway Gas Pipeline, proposed by a consortium headed by Foothills Pipelines Limited of Calgary.[35]

In response to Foothills' decision to file an application to build a gas pipeline from Alaska through the Yukon and the prairie provinces to the lower 48 states, the territorial government set up the Pipeline Co-ordinator's Office to co-ordinate its planning and activities associated with a development that had all the makings of the Yukon's third boom.[36] Preparation for the pipeline, however, reached beyond the creation of a single office; it dominated government thinking for the balance of the decade as it worked to develop policies that would enable the territory to take advantage of the opportunities offered by the large-scale project while mitigating its negative effects. The gas pipeline ultimately proved to be an illusion, but it had a maturing effect on the government as it realized that far more than in the past it would be responsible for delivering services and programs during a period that was expected to produce new challenges and new problems for the Yukon.

Government reorganization

During the period of pipeline fever the territorial government underwent another reorganization, and in contrast to the restructuring of the late 60's, which had consolidated government departments, this reorganization had the opposite effect. The creation of the separate departments responsible for renewable resources and economic development and tourism had disbanded the former Department of Tourism, Conservation and Information Services. The Information Services Branch also became a separate department early in 1978, including library services, the Yukon Archives, and information services, but this latter responsibility was assigned to the newly-formed Department of Government Services at the end of the year.[37] The Government Services Department was also assigned responsibility for supply and services and computer systems, which had formerly been part of the Department of Finance.[38]

The reduction in the functions assigned to the Finance Department allowed it to concentrate on shortcomings in the government's financial management and control systems identified in a study undertaken by the federal Auditor General's Department in the fall of 1976.[39] It pointed to the lack of an integrated financial system within the government as its chief failing and called for an end to separate departmental financial systems in favour of a comprehensive system for the entire government under the control of the territorial treasurer.[40] To help achieve this, the government appointed an assistant territorial treasurer; insisting that it was "adamant" that the Finance Department would be the "focal point for all financial matters", it also promised a thorough study of its accounting and the financial management systems to accomplish the goal recommended by the Auditor General's Department.[41]

The reorganization of the late 70's also disbanded the Department of Health, Welfare, and Rehabilitation created at the outset of the decade. A major study of the Correction Branch had revealed a need to separate services for adults and juveniles.[42] Accordingly the Social Welfare Branch, which was renamed Human Resources, took over control of juvenile probation and the Wolf Creek Juvenile Training Home, and a new division of youth services was created.[43] 1977 had been a difficult year for the corrections program with the resignation of three senior officials, including the director of corrections, and cramped, overcrowded conditions at the Whitehorse Correctional Centre.[44] A report by the new director of corrections also revealed how far the program had strayed from its initial concept when he commented on a "tendency in the Yukon to emphasize institutional care over other alternatives."[45] The community work service program had been developed during the 1977-78 as an alternative to incarceration, and as a means of providing further direction to the correctional program within the larger judicial framework, it was amalgamated with the Department of Justice.[46]

The remaining components of the former Department of Health, Welfare, and Rehabilitation were renamed the Department of Health and Human Resources. In preparation for the proposed health care transfer, this department was split again.[47] The Department of Health Service failed to obtain the responsibility for the health care system when the transfer was delayed.[see Chapter 6]

Other changes during the reorganizational phase reflect the general movement towards a provincial-style administration within the 1970's. Some of these were simply name changes. The Department of the Territorial Secretary, for example, became Consumer and Corporate Affairs. Similarly the Department of Local Government was changed to Municipal and Community Affairs in keeping with the name given its counterparts in the provinces.[48] Of more significance the government set up corporate bodies that corresponded to provincial institutions. The Yukon Liquor Corporation became a territorial Crown corporation in 1978, and the Yukon Workers' Compensation Board came into existence the same year.[49]

The development of the compensation board provides a clear example of the progress the territorial government had made since the post-war period. In the late 40's Ottawa became concerned about the inadequacy of the Yukon's legislation governing workers' compensation, and as was characteristic of its modus operandi during this period, the federal Department of Resources and Development assigned Frederick Fraser, who later became the territory's commissioner, the task of developing ordinances that would give the two northern territories laws comparable to those in the provinces.[50] Under the new legislation, approved by the territorial council in 1952, the benefits provided for in Alberta's Workmen's Compensation Act were adopted for the Yukon, and the province's board acted as the referee for compensation cases.[51] A joint office to serve both northern territories was also established in Edmonton.[52] In 1970 the administration of the territory's Workmen's Compensation Ordinance returned to Whitehorse and became part of the Territorial Secretary's Department.[53] This maturing process was completed with the establishment of the Yukon Workers' Compensation Board with the responsibility for the administration of the ordinance and the adjudication of compensation cases.

Federal financing

The period of the 1970's did not bring with it complete maturity; some issues remained unresolved. Health care was still delivered by the federal government, and the federal minister of justice continued to act as the territory's attorney general. Ottawa also maintained financial control over the territory through the annual approval of its budget. Discussions were held during the 70's on a formula financing agreement, but it was 1985 before such an agreement was reached and the Yukon achieved a significant measure of financial independence.[54] Certainly Ottawa continued its policy of generous financial contributions to the Yukon government in a period that saw its budget quadruple; federal funding for the territory made an even more dramatic jump from $6 million in operating grants and capital loans for the 1970-71 fiscal year to more than $40 million in 1979-80, and the system of capital loans was abandoned in this period in favour of grants.[55] Federal funding was, however, a double-edged sword. While it allowed for the growth of the Yukon government to the point where it was akin to a provincial administration, it also was used as an argument against greater political independence from Ottawa and remains a major impediment to provincial status.[56]

Despite this, the Yukon government had matured considerably in the 70's. Its dealings with Ottawa and the provinces had become more characteristic of those of a separate government. The creation of departments responsible for renewable resources and economic development had established a greater presence for the government in fields that in previous decades had largely been left to the federal government. The devolution of programs and the creation of new agencies and departments had given the administration a structure more closely resembling a provincial government. Although provincehood was often the rallying cry for the territorial council in its battle to extract greater control from Ottawa, the end of the 1970's was to see the achievement of a significant step that, even though it fell short of provincial status, represented the culmination of a maturing period within the governmental structure in the Yukon.

NOTES

1. See appendices V and VI for the growth in government expenditures and the territorial civil service respectively.

2. The 1971 census put the Yukon's population at 18,388, compared to 9,096 in 1951. See Canada, Department of Industry, Trade and Commerce, Canada Year Book, 1973 (Ottawa, 1973), 209.

3. See appendix V.

4. See appendix VI for the number of territorial civil servants. In 1979 the Yukon government consisted of the following departments and agencies: Education, Health, Highways and Public Works, Justice, Municipal and Community Affairs, Finance, Human Resources, Renewable Resources, Government Services, Library and Information Resources, Consumer and Corporate Affairs, Tourism and Economic Development, Public Service Commission, Administrative Services, Legislative Assembly, Office of the Pipeline Co-ordinator, Yukon Liquor Corporation, Worker's Compensation Board, and Yukon Housing Corporation.

5. John Hillson, Constitutional Development of the Yukon Territory, 1960-1970 (Unpublished M.A. thesis, University of Saskatchewan, Saskatoon, 1973), 64.

6. YA, ROF, 60-10-1-4, vol. 4, minutes of the Interdepartmental Committee on Federal-Territorial Financial Relations, 18-19 September 1969.

7. YA, ROF, 1-37-3-1, vol. 2, H.B. Robinson to J. Smith, 25 May 1970.

8. YA, ROF, 10-11, vol. 4, Yukon Territory, Information Services, For Your Information [news release], 14 August 1974.

9. Hillson, Constitutional Development of the Yukon Territory, 58.

10. YA, ROF, 10-25, vol. 1, E.A. Cote to J. Smith, 8 February 1967.

11. YA, Sound Recording, C.B. Harry Murphy collection, interview with C.B. Harry Murphy by Charles Maier, 31 July 1981, 82/506.

12. Ibid.; YA, ROF, 10-13-20, vol. 1, J. Smith to J. Buchanan, 20 October 1975.

13. YA, ROF, 10-13-20, vol. 1, J. Chretien to J. Smith, 6 October 1970; Alaska-British Columbia-Yukon Conference of Chief Executives, "Communique", in Alaska, British Columbia,

Yukon "Heads of Government" Meeting (Whitehorse : n.p., 23 January 1978).

14. Yukon Territory, Government of Yukon, News Release, 25 August 1978, 206/1C; Ibid., 31 August 1978, 210/1C.

15. YA, ROF, 10-13-1-E, B.L. Wilkinson, Territorial Involvement in Federal-Provincial and Interprovincial Conferences (Department of Indian Affairs and Northern Affairs, Territorial and Social Development Branch, June 1973), Appendix I, "PCO Guidelines," 48.

16. For examples of federal-provincial first ministers conferences where elected members of the Executive Committee were not allowed to attend except as observers or advisers to the federal minister, see Whitehorse Star, 24 June 1977, 1 and Yukon Territory, Government of Yukon, News Release, 6 March 1978, 36/1C.

17. Yukon Territory, Yukon Legislative Assembly, Debates and Proceedings, 1976 (1st), Sessional Paper No. 2.

18. Touche, Ross, Bailey and Smart, Yukon Territory Taxation Study (1968), 35-37.

19. Yukon Territory, Yukon Legislative Assembly, Debates and Proceedings, 1978 (1st, Sessional Paper No. 21.

20. YA, ROF, 10-29-19-1, vol. 1, J. Smith to E. Weich, 8 November 1966; Ibid., telephone notes received by Mrs. Cummings from A.D. Hunt, 9 November 1966.

21. Ibid., J. Smith to A. Laing, 6 December 1966; Ibid., A. Laing to J. Smith, [undated - ca. January 1967].

22. D. William Carr and Associates Limited, The Yukon Economy: Its Potential for Growth and Continuity, vol. 1 (Ottawa: Department of Indian Affairs and Northern Development, 1968), 11.

23. Ibid., 12, 14.

24. Ibid., 228.

25. YA, ROF, 10-29-19-1, vol. 2, H.J. Taylor to all department and section heads, 14 February 1969.

26. Robert G. McCandless, Trophies or Meat: Yukon Game Management, 1896-1976 (Whitehorse, 1976), 102.

27. Territorial Accounts, 1970-71, 5; Ibid., 1975-76, schedule V.

28. Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1970-71, 19-20; Ibid., 1972-73, 25.

29. YA, ROF, 10-25, vol. 4, Yukon Territory, Information Services, For Your Information [news release], 19 September 1974.

30. Ibid.

31. YA, ROF, 10-25, vol. 4, J. Smith to D. Hunt, 25 October 1973.

32. Carr and Associates, The Yukon Economy, vol. 1, 291.

33. YA, ROF, 10-11, vol. 4, H.J. Taylor to personnel director, 3 December 1972; Yukon Territory, Annual Report of the Department of Education, 1977-78, 39.

34. Whitehorse Star, 4 January 1978, 3.

35. For a list of the various pipeline proposals, see Kenneth M. Lysyk (chairman), Alaska Highway Pipeline Inquiry (Ottawa: Supply and Services, 1977), 21-23.

36. Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1977-78, 26.

37. Ibid., 35; Ibid., 1978-79, 28.

38. Ibid., 1978-79, 42.

39. Yukon Territory, Yukon Legislative Assembly, Debates and Proceedings, 1978 (1st), Sessional Paper No. 78-1-27.

40. Ibid.

41. Ibid., Sessional Paper No. 78-1-36; Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1978-79, 12.

42. Yukon Territory, Department of Justice, Annual Report of the Corrections Branch, 1977-78, 23.

43. Ibid.

44. Ibid., 3-5, 9.

45. Ibid., 6.

46. Ibid., 10, 11.

47. Yukon Territory, Government of Yukon, News Release, 18 January 1979, 16/B. Although the Department of Legal Affairs was known as the Department of Justice prior to 1979, this news release announced the formal name change with the creation of the new department, which included the Corrections Branch, as of January 19, 1979.

48. Yukon Territory, Government of Yukon, News Release, 29 January 1979, 28/A.

49. Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1978-79, 43; O.Y.T., 1977 (2nd), Chapter 10, Section 10.

50. YA, YRG-1, Series 4, vol. 19, file 356, R.A. Gibson to G.A. Jeckell, 16 July 1945; YA, Manuscript, Frederick Fraser collection, 86/108, letter from Frederick Fraser to the Yukon Archives, 10 December 1986.

51. O.Y.T., 1952 (2nd), Chapter 12.

52. Whitehorse Star, 31 October 1952, 1.

53. YA, ROF, 10-20-10, vol. 5, J. Smith to all department heads, 21 August 1970.

54. Whitehorse Star, 10 May 1985, 1-2.

55. Territorial Accounts, 1979-80, 6; the $40 million figure differs from that contained in appendix V for the 1979-80 fiscal year because the latter figure includes the grant the territory received in lieu of income taxes. For notes on the change from the system of capital loans to capital grants, see Territorial Accounts, 1975-76, 3.

56. Whitehorse Star, 5 August 1977, 1; for an argument on the financial impediments to provincehood, see Gordon Robertson, Northern Provinces: A Mistaken Goal (Montreal: The Institute for Research on Public Policy, 1985), 25-35.

CHAPTER 8

Political Maturity

By the time of the 1978 territorial election the administrative level of the Yukon government in many respects mirrored provincial government administrations. What the territory had not gained was a constitutional status to match or even approximate that of the provinces. The commissioner continued to be the head of the government, charged with the responsibility for administering the territory on instructions from Ottawa. Although elected members of the territorial council had been given responsibility for overseeing several government departments, it was "subject to the direction and control of the commissioner."[1] During the 70's steps were taken to enhance the elective component of the Executive Committee, but these were dwarfed by the federal decision in the fall of 1979 to give the Yukon responsible government. With the swearing in of the first wholly-elected territorial cabinet, the ingredients were present within the Yukon's governmental structure to allow for a judicial assessment that the Yukon was a separate and a distinct government with "most but not all the attributes of a true province."

The Executive Committee

In 1970 elected members of the territorial council had gained a foothold in the executive arm of the government with the appointment of two councillors to the Executive Committee, and this participation by elected members increased in subsequent years. After the 1974 territorial election a third elected member was added, and in late 1977 a fourth was sworn in. By this time the elected members had gained a majority on the Executive Committee with the elimination of the position of assistant commissioner (administrative).[2] This step had left the commissioner and the assistant commissioner (executive) as the sole federal appointees on the committee.

The commissioner's assistants

1977 brought another small constitutional advance for the territory. When the assistant commissioner (executive) left for Ottawa in June, a deputy commissioner was appointed to replace him, and for the first time the Executive Committee was given a role in the new appointment.[3] It recommended Doug Bell for the post, who was then officially appointed by Ottawa.[4] Bell's appointment marked another departure from previous practices. Unlike his predecessors he did not come out of the federal bureaucracy; he was a Yukon resident.

Although the naming of an individual outside the Ottawa bureaucracy to the deputy commissionership completed a process that began with the appointment of Gordon Cameron as commissioner in 1962, the Department of Indian Affairs and Northern Development did not abandon the practice of having one of its bureaucrats within the Commissioner's Office. Concomitant with Bell's appointment Commissioner Pearson announced the creation of the position of special adviser to the commissioner, and Bill Musgrove, who had been a senior policy analyst with the Northern Affairs Department, joined his office in late September.[5] Musgrove functioned in much the same fashion as the former assistant commissioners, although he was not part of the Executive Committee; as a federal employee he was to provide the link between the department in Ottawa and the territorial administration.[6] At this juncture the federal government was not willing to forego a direct presence within the Yukon administration.

The commissioner's terms of reference

The federal government also had not made any radical changes to the basic responsibility given to the commissioner under the Yukon Act. The instructions given to Arthur Pearson when he became commissioner in the summer of 1976 indicated he was "to be guided by the advice" of the Executive Committee and "receptive to the views expressed by members of the Territorial Council", but his primary responsibility was to the federal government.[7] These instructions, although they acknowledged a role for the elected representatives, were hardly compatible with the council's desire for an end to the Yukon's colonial status.

The instructions issued to Ione Christensen when she took over the commissioner's job three years later are generally seen as a more significant step towards the realization of full responsible government. The minister of Indian affairs and northern development said Christensen was to follow the advice of the elected members of the Executive Committee in matters of territorial jurisdiction.[8] The instructions, however, contained broad exceptions to the general directions given by the minister, that did not bind her to accept the advice of the elected representatives in areas where Ottawa had a continuing constitutional obligation. These areas, as they were enumerated by the minister, Hugh Faulkner, involved matters pertaining to the rights and special interests of Yukon Indians, finance, territorial legislation administered by Ottawa, and the commissioner's responsibility for the general administration of the territorial government.[9] These exceptions accorded such latitude to the commissioner that it raises questions as to whether the new instructions were as significant as they are commonly regarded.

Faulkner's instructions to Commissioner Christensen followed the 1978 election, which marked the formal introduction of party politics into the territorial legislature. This election had yielded a healthy majority for the Progressive Conservatives who had campaigned on the issue of greater responsibility for the Yukon's elected representatives. Following the election of a Progressive Conservative government nationally, the territory's government leader, Chris Pearson, wrote to the new minister of Indian affairs and northern development, Jake Epp:

> The growth of the Executive Committee concept and the advent of party politics to the Yukon legislature have made it possible to entrust a large portion of the responsibility for the active, day to day administration of the Yukon government to elected officials directly accountable to the Yukon Legislative Assembly. In this context, it is our contention that the Commissioner need not and should not continue to play a predominant role in the day to day administration of the Yukon government.[10]

Epp responded to Pearson's proposals in October by issuing a new letter of instructions to the commissioner, commonly referred to as the Epp letter.

The Epp letter

Epp instructed Commissioner Christensen, as Faulkner had before him, to accept the advice of the elected members in all matters within the legislative competence of the commissioner in council.[11] Of much greater significance was his decision to have the government leader constitute the Executive Council or cabinet that did not include the commissioner.[12] The effect of the Epp letter was to enshrine responsible government in the Yukon. The wholly elected cabinet is now responsible for all the departmental portfolios and the day to day administration of the government. The cabinet is in turn responsible to the legislature and must continue to hold its confidence; the commissioner, while still the statutory head of government, now functions in much the same role as a provincial lieutenant governor.

Although the Epp letter provoked the resignation of Commissioner Christensen and opposition charges that provincial status was being slipped in by the back door, the transition to the territory's new constitutional position was smooth.[13] The achievement of responsible government was in many respects the logical conclusion to the growth and development of the Yukon government in the thirty-year period that followed the end of World War II. The territorial administration that existed in the late 40's and 50's was sufficiently small to allow one official to oversee it at Ottawa's behest. As that administration expanded to assist with the development of the territory, this became less practical, and the Yukon's growth created a demand for local control of its affairs. Although Ottawa is frequently depicted as the antagonist in this battle for local control, its policies were instrumental in the creation of a modern, largely independent governmental structure in the Yukon. What it eventually had to face was that the existence of a separate government would bring with it a desire for elected political masters, a desire that was realized with the Epp letter.

The achievement of responsible government in the Yukon has not produced a complete end to federal control over the territory. Elements of its power will likely remain until the Yukon becomes a province. But the advent of responsible government has made provincial status almost a dead issue; even the recent controversy over the Meech Lake accord has arisen because of the difficulties it poses for the future, not because it represents an obstacle to any immediate goal. Yukoners appear satisfied with the level of self-government accorded by the Epp letter. Even though an appeal of the St. Jean case may result in a narrower interpretation of the territory's constitutional position, but it is difficult to argue with practical reality. The elected cabinet of the day has control of the administration of the territorial government, and it represents a voice separate and distinct from the politicians and bureaucrats in Ottawa.

NOTES

1. Yukon Territory, Annual Report of the Commissioner of the Yukon Territory, 1972-73, 12.

2. David Elliot, Some Constitutional Aspects of the Government of the Yukon Territory (Whitehorse: Yukon Territorial Government, 1978), 120.

3. Ibid.; Whitehorse Star, 18 July 1977, 1.

4. Ibid.

5. Whitehorse Star, 18 July 1977, 1; Ibid., 23 September 1977, 3.

6. Ibid., 23 September 1977, 3.

7. Whitehorse Star, 22 February 1978, 2a.

8. Yukon Territory, Yukon Legislative Assembly, Debates and Proceedings, 1979 (2nd), Sessional Paper No. 79-2-8.

9. Ibid.

10. Chris Pearson to Jake Epp, 18 June 1979.

11. Jake Epp to Ione Christensen, 9 October 1979.

12. Ibid.

13. Whitehorse Star, 10 October 1979, 1; Ibid., 15 October 1979, 1.

APPENDICES

APPENDIX I

ADMINISTRATIVE OUTLINE

1948 - 1979

1948 The **commissioner** is reinstated in July as the head of government in the Yukon, ending a 30-year period in which the chief executive officer of the territory was first the **gold commissioner** (1918-1932) and then the **comptroller** (controller) (1932-1948). John Edward Gibben, who had been controller since 1947, is named commissioner.

The Yukon and federal governments sign their first tax rental agreement, modelled on those reached with seven provinces the previous year. Under the financial deal the territorial government agrees to forego the collection of income and corporate taxes and succession duties and to increase its level of taxation comparable to that imposed in the province of British Columbia. In return the Yukon receives annually $60,000 in lieu of grants for the support of the government and council, a population subsidy of $6,400 and a guaranteed minimum grant, which amounted to $89,365 in 1948. The agreement covers the period from January 1948 to December 1951.

Travel restrictions are lifted on the Alaska Highway and civilian traffic is now free to use the highway. The task of providing lunch stops and campgrounds falls to the federal forestry service of the Department of Mines and Resources.

The Liquor Ordinance is amended to allow for the appointment of a **superintendent of liquor control**. This post was, in fact, created and filled in 1947 by Larry Higgins, who had previously been the territorial agent in Whitehorse. He is stationed in Whitehorse.

1949 As a result of concerns over declining wildlife populations and increased interest in travel to the Yukon, the **Department of Game and Publicity** is set up (see 1951). Them Kjar, a game warden from Alberta, is named director in September; G.I. Cameron, a former RCMP officer and long-time Yukoner, fills the post of assistant director. The new department is located at Whitehorse, in view of the particular concern about wildlife populations in the vicinity of the Alaska Highway and the growing importance of the community over Dawson.

The territory's first **chief sanitary inspector** is hired to monitor sanitary conditions in Yukon communities and in facilities along the Alaska Highway.

1950 On June 1 Whitehorse and Dawson are proclaimed municipalities under the terms of the Municipal Ordinance passed the previous year. Whitehorse is incorporated as a city.

Andrew Harold Gibson is appointed commissioner in August.

A reorganization of federal government departments results in a new department with responsibility for northern Canada. The **Department of Resources and Development** replaces the Department of Mines and Resources. The administration of the Yukon and Northwest Territories falls under the Development Services Branch.

1951 On February 22 the federal cabinet decides the capital of the Yukon will be moved to Whitehorse from Dawson. The move is announced in the north in March.

The **Department of Game and Publicity** is formally created through amendments to the Yukon Territorial Public Service Ordinance. (see 1949) This is the last time a department of the territorial government is created by statute.

A committee made up of representatives of various federal departments is formed to deal with financial arrangements between Ottawa and the two northern territories. The **Interdepartmental Committee on Federal-Territorial Financial Relations** became the major vehicle in determining the nature of subsequent five-year financial agreements between the territorial and federal governments.

Frederick Fraser is named commissioner in October.

1952 The first report of the Interdepartmental Committee on Federal-Territorial Financial Relations calls for the territory to be formally given the responsibility for hospitals and the construction and maintenance of roads. It recommends the closure of the territorial assay office, which has been in operation since 1905. It also recommends that the Yukon have access to money now available under federal-provincial programs. A new federal-territorial agreement is concluded to cover the period from 1952-1957.

The first **territorial secretary** is appointed since this official's duties were assigned to the territorial treasurer by amendments to the Public Service Ordinance in 1911. The job is given to the commissioner's executive assistant, a federal employee. As part of the same reorganization, an assessor and collector of taxes for the territory is hired.

The superintendent of schools moves his office from Dawson to Whitehorse in September.

Wilfred George Brown becomes commissioner in November.

1953 In accordance with changes to the Workmen's Compensation Ordinance that came into force on January 1, the Workmen's Compensation Board of Alberta is named as referee for certain compensation cases in the territory, and detailed benefits under this province's act are adopted for the Yukon. An office is set up in Edmonton to jointly administer the ordinances of the Yukon and the Northwest Territories.

A chief medical officer is hired for the territory in January, but he resides in Edmonton.

Whitehorse becomes the capital of the Yukon on April 1.

A serious epidemic of poliomyelitis breaks out in the territory in the spring. It underscores the inadequacy of the Yukon health system with a chief medical officer resident outside the territory and the lack of funding to meet emergencies. The Yukon government secures a special grant of more than $ 40,000 from the federal government to cover half the cost of bringing the epidemic under control.

The federal **Department of Northern Affairs and National Resources** is created to administer northern Canada. The creation of this department is generally seen as a sign of renewed and sustained interest in the North.

A new Yukon Act which increases the legislative powers of the commissioner in council, is passed by the federal Parliament. It takes effect on April 1, 1955.

The Children's Act Society of the Southern Yukon is incorporated, and in the following years it takes over much of the work related to child welfare in the territory.

The name of the Department of Game and Publicity is formally changed to the **Department of Game** through an amendment to the Public Service Ordinance.

1954 In June the territorial council agrees in principle to hand over the responsibility for health in the Yukon to the federal Department of National Health and Welfare with costs to be shared between the two levels of government.

A territorial employee is appointed **territorial secretary** with responsibility for a variety of government services including vital statistics, motor vehicles, business licenses, company registration, tax assessment, boiler inspections, workmen's compensation, and public welfare services. He also serves as the **clerk of the council**, **Queen's printer**, and **superintendent of child welfare**.

The positions of territorial agent and liquor vendor are amalgamated in Dawson and Mayo as a cost-saving measure.

1955 In June Frederick H. Collins is named commissioner.

The increase in social welfare problems leads to the appointment of an assistant to the territorial secretary with specific responsibility for social welfare.

The territory's first Lands Ordinance is approved by the territorial council. It provides for the sale and leasing of land under the commissioner's control.

1956 The **Department of Welfare** is set up in June in response to a growing number of social and child welfare cases. A supervisor, who is also designated the superintendent of child welfare, is placed in charge of the new department.

1957 The federal Department of National Health and Welfare takes over responsibility for most health programs in the Yukon for both the native and non-native populations. Previously the territorial government had provided service to only non-natives; the Indian Affairs Branch of the federal Department of Citizenship and Immigration looked after status Indians. Under the new scheme the territorial government pays 70 percent of the costs of health service, representing the non-native portion of the population. In September health matters are placed in the hands of N.D.C. MacKinnon as the zone superintendent for the Yukon, chief medical health officer, and medical supervisor of the Whitehorse hospital, which is under construction. The administration of programs not included in the health transfer is given to the supervisor of welfare, whose department is now known as **Health and Public Welfare.**

1958 The federal government takes over the administration of territorial elections.

1959 The new Whitehorse hospital is opened. It is the only hospital in the Yukon administered by the federal Department of National Health and Welfare. The hospital in Dawson continues to be run by the Sisters of St. Ann, and the hospital in Mayo remains in territorial hands.

1960 The territorial Department of Health and Public Welfare takes over the caseload of the Yukon Children's Aid Society. The takeover of child protection and adoption cases and services for families and unmarried parents is accompanied by a departmental reorganization.

Under a special arrangement with the Indian Affairs Branch of the Department of Citizenship and Immigration, the regulations regarding child protection are amended to allow status Indian children to be committed to the care of the superintendent of child welfare. The Indian Affairs Branch provides a grant to the territorial government to cover its share of the program.

Amendments to the Yukon Act provide for the creation of the **Advisory Committee on Finance** in a move to give elected members of the territorial council some experience in the executive arm of government.

The **Yukon Hospital Insurance Service** begins operating on July 1. Under the plan Yukoners receive free hospitalization. The federal government provides a grant under its Hospital Insurance and Diagnostic Services Act towards the service. It also contributes 13 per cent of the administration costs of the plan and a special grant to cover the hospital care of indigent Indians.

The executive assistant to the commissioner is given the added appointment of **superintendent of resources** with responsibility for the local administration of resources. This practice ends in 1962.

A second assistant, known as the **administrative assistant** , joins the commissioner's staff.

1961 The Yukon council approves funds for a vocational school in the spring.

The **Department of Area Development** is established on April 1 to administer the sale of lots in territorial subdivisions and to enforce regulations under the Area Development Ordinance.

In September the **Yukon Regional Library** is set up as a government department. Its creation followed the recommendation of the librarian from the Department of Northern Affairs and National Resources, who made a study of the territory's library needs in 1957.

The Department of Health and Public Welfare opens its first branch office in November in Dawson. A welfare officer is assigned there to deal with a general caseload.

The Department of Health and Public Welfare takes over payment of old age assistance and blind persons' allowances from the Department of the Territorial Secretary, although both programs are still administered by the latter department.

The first Advisory Council on Finance is formed in the fall, and three members of the Yukon council are named to it.

1962 The **Department of Travel and Publicity** is established on March 15. Its creation is accompanied by the dissolution of the Yukon Travel Bureau, a organization of private citizens and business operators, which operated with funds from the territorial government and private memberships.

Gordon Robert Cameron is appointed commissioner on May 1.

In June the Northern Health Services Branch of the federal Department of National Health and Welfare takes over the responsibility for administering the remaining health programs of the Yukon government. This move is recommended by the Interdepartmental Committee on Federal-Territorial Financial Relations and set out in the financial agreement reached between the territorial and federal governments for 1962-1967. With the transfer the Department of Health and Public Welfare becomes known as the **Department of Public Welfare.**

The Department of Area Development becomes the **Department of Housing and Area Development** with the added responsibility for the administration of the Low Cost Housing Ordinance.

The Yukon government launches a vocational training program in September with the appointment of a **director of vocational training.** An advisory council on vocational training is also appointed by the commissioner.

The territorial secretary takes on the added duty of **labour provisions officer** in December as a result of the Labour Provisions Ordinance approved by the Yukon council this year.

1963 The federal supervisor of lands takes over the sale of lands under the commissioner's control from the Department of Housing and Area Development on April 1.

In May a correctional committee is formed to plan a correctional program for the Yukon that includes the construction of a medium security prison.

The **Whitehorse Vocational Training School** is officially opened on June 11. Classes get underway in September.

The Sisters of St. Ann leave the Yukon in August after more than twenty years of service in Dawson. The community's hospital and home for the aged are turned over to the territorial government.

The responsibility for the disabled and blind persons' allowances and old age assistance is transferred from the territorial secretary to the director of welfare, who becomes the director of these three programs.

1964 Responsibility for the Alaska Highway is transferred from the Canadian army (Northwest Highway System) to the federal Department of Public Works on the understanding that the federal department enter into negotiations regarding its future transfer to the territorial government.

The federal Department of National Defence leaves the Yukon. The territorial government takes over the insect control program it ran in Whitehorse and the Department of Housing and Area Development institutes a territory-wide program.

A senior personnel officer with the Department of Northern Affairs and National Resources who conducted a study of personnel administration within the territorial government recommends the establishment of a personnel office and the hiring of a personnel adviser.

The Department of Public Welfare develops the territory's first probation service. A probation officer joins the department's staff in June.

The legal adviser is named senior advisory counsel and is now an employee of the federal Department of Justice instead of the Northern Affairs Department.

Yukon Alcoholism Services, a branch of a private Alberta foundation (Alberta Alcoholism Foundation), is established in Whitehorse in November. Its operating costs are fully subsidized by the Yukon government.

1965 The **Department of Corrections** is established. The only branch in operation at this time is **Probation Services**, which the new department takes over from the Department of Public Welfare.

The Department of Public Welfare is renamed the **Department of Social Welfare.**

The Alberta Department of Public Health assumes responsibility for alcoholism services that had been provided in the province by a private foundation. The Yukon program is included under the Alberta department's administrative responsibilities.

The administrative assistant to the commissioner becomes a territorial employee.

A salary commission is set up by the federal government to undertake a general review of wages within the territorial civil service. It recommends wage increases for public servants and continued work on the government's wage and benefits package and its classification system. A personnel committee is established in early 1966 to assist with this work and the hiring of a personnel adviser.

1966 In February the Yukon government takes over the responsibility for the alcoholism treatment program, and it is included within the Department of Social Welfare. It continues to be known as Yukon Alcoholism Services.

A personnel adviser is hired and a **Personnel Office** established.

The Whitehorse Vocational School is renamed the **Yukon Vocational and Technical Training Centre.**

The Department of Housing and Area Development becomes the **Department of Municipal Affairs.**

The responsibility for mining is transferred from the Northern Administration Branch to the **Resource and Economic Development Group** of the Department of Northern Affairs and National Resources. Mining officials in the Yukon report directly to this branch rather than through the commissioner to the Northern Administration Branch.

On November 7 James Smith becomes commissioner.

The federal **Department of Indian Affairs and Northern Development** is created, replacing the Department of Northern Affairs and National Resources. For the first time since the disbanding of the Department of the Interior in 1936, the responsibility for northern Canada and native people fall within the same department.

1967 Commissioner Smith launches a government reorganization designed to consolidate an unwieldy number of territorial departments and to provide centralized administrative services.

In January the probation service is transferred from the Department of Corrections to the Department of Social Welfare. The Corrections Department moves into the **Whitehorse Correctional Institution** which begins operating on June 6. The **Yukon Mobile Institution** opens in July.

The departments of Municipal Affairs and Engineering are combined in February to create the **Department of Engineering and Municipal Affairs.**

The Department of the Territorial Secretary is expanded in April and given a new title: **Department of the Territorial Secretary and Registrar General.** The department takes on added responsibility for the registration of joint stock companies, securities, corporation securities, societies, and cooperative associations. An inspection services branch is set up with responsibility for inspections dealing with workmen's compensation, labour, liquor, business licenses, and motor vehicle licensing.

A government department known as the **Resource and Recreation Group** is established, consisting of the recreation director, the Department of Game, the Yukon Regional Library, and the Department of Travel and Publicity, as well as the federal agencies responsible for lands and forests. This department reports to the executive assistant.

In April the administration of the **Central Registry** is transferred from the federal to the territorial government. The Central Registry introduces a central mail pick-up and delivery system.

A new **Department of Administrative Services** is created, including a newly-formed **Division of Housing and Accommodations,** the Personnel Office and Central Registry.

A **Central Purchasing and Control Unit** is organized within the Department of Engineering and Municipal Affairs.

In June the responsibility for property tax assessments is transferred from the Department of the Territorial Secretary to the Department of Engineering and Municipal Affairs.

The Department of Vocational Training is brought into the Department of Education. The director of vocational training is moved into the department, which is divided into three branches: primary schools, secondary schools, and vocational and technical training. The day-to-day administration of the Vocational and Technical Training Centre is left in the hands of a principal.

A new legal adviser is appointed in October, and for the first time this is a territorial position. Previously the legal adviser was an employee of the federal Department of Justice.

In September the executive assistant and the administrative assistant to the commissioner are given new titles. They are respectively known as the **assistant commissioner (executive)** and the **assistant commissioner (administrative)**.

A director of recreation is appointed.

In its 1967 report the Interdepartmental Committee on Federal-Territorial Financial Relations recommends that the territorial government be responsible for the administration of justice in the Yukon.

1968 In January the Public Administrator's Office becomes part of the Department of the Territorial Secretary and Registrar General.

The Division of Housing and Accommodations is transferred to the Department of Engineering and Municipal Affairs in February.

At the outset of the new fiscal year responsibility for lands and forests in the Yukon is given to the Resource and Economic Development Group of the Department of Indian Affairs and Northern Development, and these functions are no longer part of the commissioner's direct responsibility. The superintendent of forestry, the supervisor of lands, and the supervising mining recorder are placed under the direct supervision of a regional director of resources. Included in this transfer are the departmental accountant and the Land Titles Office.

The **Office of the Territorial Fire Marshal** is created in September. Previously the territory's Fire Protection Ordinance had been administered by the Northwest Territories' fire marshal.

The **Rehabilitation Services Branch** is formed and assigned to the Department of Education.

The Secretariat Branch is established within the Department of the Territorial Secretary to assist with the work associated with the Yukon territorial council, Commissioner's Orders, and various committees.

1969 Probation services and juvenile training are transferred back to the Department of Corrections from Social Welfare. The move is followed by a reorganization of the Department of Corrections into four sections: Administration, Probation Services, the Whitehorse Correctional Institution and the Yukon Juvenile Training Home (formerly known as the Yukon Mobile Institution).

The name of the Travel and Publicity Branch is changed to the **Travel and Information Branch** to reflect the department's growing responsibility for disseminating information about government activities.

On April 1 the Department of Engineering and Municipal Affairs is split into two separate departments.

The director of recreation becomes part of the Department of Education in November.

1970 Commissioner Smith forms the Executive Committee and institutes the second phase of his government reorganization.

The Department of Engineering is renamed the **Department of Highways and Public Works.**

The Department of Municipal Affairs becomes the **Department of Local Government.**

A new department known as **Health, Welfare and Rehabilitation** is constituted from the former departments of Corrections and Social Welfare. This department also includes a Health Services Branch consisting of the administrator of the Yukon Hospital Insurance Plan.

The Department of Tourism, Conservation and Information Services is formed, consisting of the Game Branch, the Tourism and Information Branch, and the Library Services Branch. Each branch head reports directly to the assistant commissioner (executive).

The Tourism and Information Branch sets up an office in Vancouver to promote and disseminate information about the territory to southern British Columbia and the northwestern region of the United States.

The **Department of Administrative and Legislative Support Services,** responsible to the commissioner, is created. It is made up of the personnel adviser, the clerk of the council, and two new positions: the financial adviser and the statistical and planning adviser. The legal adviser is temporarily attached to this department until the transfer of the administration of justice to the Yukon government (see 1971).

The administration of the Workmen's Compensation Ordinance is transferred to Whitehorse from Edmonton and assigned to the Department of the Territorial Secretary. (see 1953)

The Department of the Territorial Secretary takes over responsibility for the Central Registry Office.

The Department of Treasury is reorganized to overcome weaknesses in its ability to provide effective financial management of the government.

The Yukon's first Executive Committee is sworn in on November 29 and consists of the commissioner, the two assistant commissioners and two elected members of the territorial council: Hilda Watson, who is given responsibility for the Department of Education, and Norman Chamberlist, who is assigned the health, welfare and rehabilitation portfolio. The commissioner is responsible for the Department of Administrative and Legislative Support Services. The remaining departmental responsibilities are allocated between the two assistant commissioners.

The administration of the territorial hospitals in Mayo and Dawson is turned over to the federal Department of Health and Welfare. This puts all the hospitals and nursing stations in the territory in federal hands.

1971 The Yukon government takes over the administration of justice from the federal government on April 1. The **Department of Legal Affairs** is set up with the legal adviser as its director.

The Yukon government takes over the campground service provided since 1948 by the Yukon Forest Service. It is assigned to the Tourism and Information Branch.

1972 In March the government's central purchasing function is transferred from the Department of Highways and Public Works to the Department of Treasury.

At the beginning of the new fiscal year the responsibility for maintaining the Yukon sections of the Alaska Highway and the Haines Road is transferred to the Yukon's Department of Highways and Public Works.

The **Yukon Health Care Insurance Plan** is implemented on April 1. Like the Yukon Hospital Insurance Plan, it is administered by an administrator responsible to the executive committee member for health, welfare and rehabilitation. The Inspection Services Branch of the Department of the Territorial Secretary is responsible for carrying out examinations of employers' payrolls and the remittance of premiums to the plan.

The **Yukon Housing Corporation** is established in June with the proclamation of the Housing Corporation Ordinance. The corporation begins operating in October. In November the accommodations section of the Department of Local Government, which is responsible for office and staff accommodation, is transferred to the newly-formed corporation.

A federal employment liaison officer is seconded to the Department of the Territorial Secretary to develop a program to increase the level of northern employment.

The **Electrical Public Utilities Board** is established to administer the Electrical Public Utilities Ordinance.

The **Yukon Archives** opens in December as part of the Library Services Branch of the Department of Tourism, Conservation and Information Services.

1973 The **Lands Claims Secretariat** is set up to provide research and other support services to the commissioner as the Yukon government's representative for negotiations on the Yukon Indian land claim.

Clive Tanner is appointed as the executive committee member for health, welfare and rehabilitation, replacing Norman Chamberlist.

The position of **internal auditor** is created.

1974 The commissioner publicly announces the proposed creation of a new department of conservation and economic development that is to encompass those areas of resource development under the Yukon government's control: tourism, wildlife management, territorial campgrounds, historic sites and some environmental matters. An interdepartmental committee, chaired by the director of the Tourism and Information Branch, is set up to prepare an organizational plan for submission to the territorial council prior to the 1976-77 budget.

In August the **Directorate of Intergovernmental Affairs** is established with C.B.H. Murphy, the former director of welfare, as its head. The new directorate is included within the Department of Administrative and Legislative Support Services.

Kindergartens, which since 1968 had been run as co-operative ventures between the territorial government and community advisory committees, are incorporated into the school system.

1975 A new Executive Committee is sworn in in January following the 1974 territorial election. Gordon McIntyre is given responsibility for the Department of Education, Hilda Watson the Department of Health, Welfare and Rehabilitation, and Ken McKinnon the Department of Local Government. McIntyre resigns on May 15 and is replaced by Dan Lang. Watson resigns on October 4, and her portfolio is assigned to Flo Whyard.

On April 1 the Department of the Territorial Secretary assumes responsibility for the administration of Land Titles Office from the federal government.

The responsibility for office accommodations within the territorial government is transferred from the Yukon Housing Corporation to the Department of Highways and Public Works on April 1.

In April a comprehensive system of legal aid is introduced.

1976 The **Manpower Planning Branch** is established within the Department of Education to co-ordinate employment and training programs, review the manpower implications of major developments, and provide research support for a variety of manpower committees.

The **Parks and Historic Sites Division** is formed within the Tourism and Information Branch of the Department of Tourism, Conservation and Information Services in April.

The **Public Service Commission** is created when the Public Service Commission Ordinance comes into force in July.

Arthur Pearson is named commissioner on July 1.

On August 31 a consortium headed by Foothills Pipelines Limited files applications with the National Energy Board to build a pipeline through the Yukon and the prairie provinces to carry Alaskan oil to the lower 48 states. In the fall the Yukon government establishes the **Pipeline Coordinator's Office** to co-ordinate its planning and activities regarding the proposed pipeline project.

The **Economic Research and Planning Unit** is set up with responsibility for investigating the socio-economic effects of development projects and collecting statistics.

The Rehabilitation Services Branch is transferred from the Department of Education to the Department of Health, Welfare and Rehabilitation in September because the costs of the program are being shared by the federal Department of Health and Welfare.

The **Workmen's Compensation Advisory Board** is created in November as a prelude to the establishment of a full-fledged workmen's compensation board.

1977 The **Yukon Liquor Corporation** is established on April 1st. (see 1978) The liquor inspection service is transferred to the new corporation from the Department of the Territorial Secretary.

The position of assistant commissioner (administrative) is eliminated to give the elected members a majority on the Executive Committee. The title of assistant commissioner (executive) is changed to **deputy commissioner** when Douglas Bell is appointed to the position in July.

A special advisor on native affairs is appointed to the Yukon government in July to provide the territory's Indian organizations with greater influence in government planning and programs

The Department of Renewable Resources is established in July, consisting of the Wildlife Branch and the Resource Planning Branch. The Parks and Historic Sites Division is transferred from the Tourism and Information Branch to the Resource Planning Branch.

A **special advisor to the commissioner** is appointed in September to assist the commissioner in his dealings with the Department of Indian Affairs and Northern Development and other federal departments.

A fourth elected member, Jack Hibberd, is named to the Executive Committee in December. In early January he is given responsibility for renewable resources and the new Department of Consumer and Corporate Affairs.

1978 The **Workers' Compensation Board** is created as a corporate entity with responsibility for the administration of the Workers' Compensation Ordinance and the adjudication of compensation cases.

The executive committee member for local government, Ken McKinnon, is given the added responsibility for the Pipeline Co-ordinator's Office.

The **Department of Information Resources** is established in January, consisting of the following branches: Archives and Records Services, Library Services, and Information Services. In December the Information Services Branch is transferred to the newly-formed Department of Government Services, and the Information Resources Department is renamed the **Department of Library and Information Resources.**

The **Department of Tourism and Economic Development** is formed from the Economic Research and Planning Unit and the former Tourism Branch of the Department of Tourism, Conservation and Information Resources.

The public administrator and the land titles function are transferred from the Department of the Territorial Secretary to the Legal Affairs Department.

The **Department of Consumer and Corporate Affairs** is created from the former Department of the Territorial Secretary and Registrar General. The new department is comprised of five branches: Consumer Affairs, Corporate Affairs, Motor Vehicles, Labour Standards and Occupational Health and Safety.

The Department of Health, Welfare and Rehabilitation is renamed **Health and Human Resources** during the 1977-78 fiscal year, and in January it is split into two separate departments, the **Department of Health Services** and the **Department of Human Resources** because of the impending transfer of the health care system from federal to territorial control. The Health Services Department includes Alcohol and Drug Services and the Rehabilitation Services Branch; it is also responsible for the Yukon Health Care Insurance Plan and the Yukon Hospital Insurance Plan. In April it takes over the responsibility for vital statistics from the Department of Consumer and Corporate Affairs and ambulance services from the Department of Local Government.

As a result of a detailed examination of the Corrections Branch, the responsibility for juvenile probation and the Wolf Creek Juvenile Training Centre, which is renamed the **Youth Services Centre**, is handed over to the Department of Human Resources in February. The Corrections Branch is slated to become part of the

Legal Affairs Department, although the move is not accomplished within the 1977-78 fiscal year.

In February the Yukon Native Brotherhood withdraws its support for the transfer of health care to the territorial government, and the transfer is delayed indefinitely.

The Department of Treasury is renamed the **Department of Finance.**

The Yukon Liquor Corporation becomes an territorial Crown corporation on April 1 with responsibility for its own management and control of its own financial systems.

Dan Lang resigns as the executive committee member for education in June and is replaced by Eleanor Millard.

The **Women's Bureau** is established in October to consolidate the government's efforts to improve the status of women. The bureau is part of the Manpower Planning Branch of the Department of Education.

Arthur Pearson resigns as commissioner, and Frank Fingland is appointed on November 1 as interim commissioner.

Party politics are formally introduced into the Yukon Legislative Assembly. On November 20 residents of the territory elected eleven Progressive Conservatives, two Liberals, one New Democrat and two Independents. This is also the first election run by the territory since 1958.

With the advent of party politics, the Department of Administrative and Legislative Support Services is split into two separate departments: the **Executive Committee Office** and the **Legislative Assembly Office.**

On December 14 four Progressive Conservative M.L.A.s are sworn in as members of the Executive Committee. Portfolio responsibilities are assigned in January. Chris Pearson is given the Pipeline Co-ordinator's Office; Howard Tracey the Departments of Tourism and Economic Development, Renewable Resources, Consumer and Corporate Affairs, Education, and Information Resources; Dan Lang the Departments of Highways and Public Works, Municipal and Community Affairs, and the Yukon Housing Corporation; and Grafton Njootli the Departments of Health and Human Resources. Portfolios retained by the commissioner include the Public Service Commission, Justice, and Finance, and the deputy commissioner is responsible for Government Services, the Yukon Liquor Corporation, the Intergovernmental Affairs Directorate, and the Workers' Compensation Board.

The **Department of Government Services** is formed in December with three branches: the **Public Affairs Bureau**, formerly the Information Services Branch of the Department of Information Resources; Supply and Services; and Data Systems and Computer Systems. The latter two functions were previously assigned to the Department of Finance.

1979 The Department of Legal Affairs becomes the **Department of Justice** in January, and includes the Corrections Branch, the Legal Services Branch, and the Courts and Administrative Branch.

Ione Christensen is sworn in as commissioner on January 20. As an indication of the Yukon's constitutional progress, the letter of instruction to the new commissioner from the minister of Indian affairs and northern development binds her to accept the advice of the elected members of the Executive Committee in all areas of territorial jurisdiction except those which have a continuing federal constitutional responsibility, namely, the rights and special interests of Indians, finance, territorial legislation administered by the federal government, and the responsibility of the commissioner for the general administration of the territorial government.

The Department of Local Government is renamed the **Department of Municipal and Community Affairs** in January.

In February, Doug Graham is appointed to the Executive Committee as its fifth elected representative. He is given the education, justice, and information resources portfolios.

The Pipeline Coordinator's Office is upgraded to branch status in April.

Grafton Njootli resigns from the Executive Committee in May and is replaced by Meg McCall, who retains the health and human resources portfolios. Howard Tracey resigns, and his position is not filled.

On October 9 the new minister of Indian affairs and northern development, Jake Epp, issues new instructions to the commissioner that enshrine responsible government. Under its terms, the position of deputy commissioner is abolished, and the commissioner is no longer a member of the Executive Committee, which is now known as the Executive Council or cabinet. The administration of the government passes to the elected members of the Executive Council. In response, Commissioner Christensen resigns, and Doug Bell becomes administrator.

On October 22 the Yukon's first wholly elected cabinet is sworn in. Its members are Chris Pearson (Finance, Executive Council Office, Public Service Commission, Pipeline Co-ordinator's Office, Intergovernmental Affairs Directorate, Land Claims), Dan Lang (Highways and Public Works, Municipal and Community Affairs, Yukon Housing Corporation, Yukon Liquor Corporation), Doug Graham (Education, Justice, Information Resources, Government Services), Meg McCall (Health, Human Resources, Workers' Compensation Board) and Swede Hanson (Renewable Resources, Tourism and Economic Development, and Consumer and Corporate Affairs).

APPENDIX II

COMMISSIONERS OF THE YUKON TERRITORY

1898 - 1979

Name	Dates	Date of Appointment
William Ogilvie	1898 - 1901	July 4, 1898
James Hamilton Ross [a]	1901 - 1902	March 11, 1901
Frederick Tennyson Congdon [a]	1903 - 1904	March 4, 1903
William Wallace Burns McInnes	1905 - 1907	May 27, 1905
Alexander Henderson	1907 - 1912	June 17, 1907
George Black	1912 - 1916	February 1, 1912
George Norris Williams [b]	1916 - 1918	October 13, 1916

OFFICE OF COMMISSIONER AND ADMINISTRATOR ABOLISHED; POWERS VESTED IN GOLD COMMISSIONER [c]

Name	Dates	Date of Appointment
George Patton MacKenzie [d]	1918 - 1924	April 1, 1918
Percy Reid [e]	1925 - 1927	April 1, 1925
George Ian McLean	1928 - 1932	Sept. 10, 1928

POWERS AND DUTIES OF THE GOLD COMMISSIONER TRANSFERRED TO THE COMPTROLLER (CONTROLLER) [f]

Name	Dates	Date of Appointment
George Allan Jeckell [g]	1932 - 1947	June 30, 1932
John Edward Gibben	1947 - 1948	Sept. 18, 1947

OFFICE OF THE COMMISSIONER REINSTATED [h]

John Edward Gibben	1948 - 1950	July 13, 1948
Andrew Harold Gibson	1950 - 1951	August 15, 1950
Frederick Fraser	1951 - 1952	October 15, 1951
Wilfred George Brown	1952 - 1955	November 5, 1972
Frederick Howard Collins	1955 - 1962	June 8, 1955
Gordon Robertson Cameron	1962 - 1966	May 1, 1962
James Smith	1966 - 1976	November 7, 1966
Arthur MacDonald Pearson	1976 - 1978	July 1, 1976
Frank Boyd Fingland [i]	1978 - 1979	November 1, 1978
Ione Jean Christensen	1979	January 20, 1979
Douglas Leslie Dewey Bell [j]	1979 - 1986	October 9, 1979

a. Both Ross and Congdon resigned as commissioner to run for the federal seat in the Yukon. In both instances Zachary Taylor Wood of the NWMP was appointed acting commissioner.

b. Williams was appointed administrator during Black's military service overseas. During Black's absence the position of commissioner was abolished.

c. The offices were abolished on March 28, 1918 (P.C.O. 745). Amendments to the Yukon Act allowing for such a transfer were passed later in the year and applied retroactively. See Canada, Statutes of Canada, 8-9 George V. Chapter 50.

d. MacKenzie had been the gold commissioner since 1913. His appointment as the territory's chief executive dates from the day P.C.O. 745 came into effect, April 1, 1918.

e. Reid died in office in 1927. G.A. Jeckell, the comptroller, was made the acting gold commissioner until McLean's appointment.

f. The transfer of power from the gold commissioner to the comptroller was made by P.C.O. 1481 on June 30, 1932. The office of the gold commissioner was not formally abolished until 1934 (P.C.O. 34/343 which was retroactive to March 26, 1932). The title comptroller was changed to controller on December 3, 1936 (P.C.O. 3072). The move was part of a federal reorganization that occurred when the Department of the Interior was disbanded, and a new department, Mines and Resources, was set up to administer the north.

g. Jeckell had been the comptroller since 1913. His appointment to the chief executive position dates from P.C.O. 1481.

h. The reinstatement of the commissioner followed an amendment to the Yukon Act given assent on June 30, 1948 (11 - 12 George VI, Chapter 74, Section 4). For an argument on how these changes were unnecessary, see John. D. Hillson, Constitutional Development of the Yukon Territory, 1960-1970 (Unpublished M.A. thesis, University of Saskatchewan, Saskatoon 1973), 16.

i. Fingland's appointment was an interim one, pending the naming of a new commissioner.

j. Bell became administrator upon the resignation of Ione Christensen on October 9, 1979. He was appointed commissioner on December 31, 1980.

APPENDIX III

EXECUTIVE ASSISTANT/ASSISTANT COMMISSIONERS (EXECUTIVE)

1950 - 1979

N. Victor K. Wylie	1950 - 1952
W. M. Cameron	1951 - 1953
Clare M. Bolger	1954 - 1955
F. H. Murphy	1955 - 1958
Alex J. Reeve	1958 - 1961
J. Frank Delaute	1961 - 1964
David A. W. Judd	1964 - 1966
Frank B. Fingland [a]	1966 - 1969
Robert L. Kennedy [b]	1969
Ronald A. Hodgkinson	1969 - 1972
Gordon A. McIntyre (acting)	1972 - 1973
Frank B. Fingland	1973 - 1974
Peter J. Gillespie	1974 - 1977
Douglas L. D. Bell [c]	1977 - 1979

---

a. In September 1967 the executive assistant was given the new title of assistant commissioner (executive).

b. Kennedy was an interim appointment.

c. Bell was given the title of deputy commissioner.

APPENDIX IV

ADMINISTRATIVE ASSISTANTS/ASSISTANT COMMISSIONERS (ADMINISTRATIVE)

1960 - 1977

Frank B. Fingland	1960 - 1963
M.R. Hargrave	1963 - 1965
Jacques J. Seguin (acting)	1965
G. Keith Fleming [a]	1965 - 1973
Kenneth J. Baker (acting)	1973
Mervyn E. Miller [b]	1973 - 1977

---

a. With the departure of Hargrave it was decided to make the administrative assistant a territorial employee, and Fleming was hired in this capacity. In September 1967 the title of administrative assistant was changed to assistant commissioner (administrative).

b. In 1977 the position of assistant commissioner (administrative) was eliminated to give the elected representatives a majority on the Executive Council.

APPENDIX V

FINANCES OF THE GOVERNMENT OF YUKON, 1948 - 1979 [a]

Fiscal year	Revenues & Recoveries [b]	Federal Grants [c]	Expenditures
1948-49	636,982	199,471	785,656
1949-50	864,653	211,400	886,934
1950-51	1,038,425	210,785	1,002,549
1951-52	1,506,675	189,279	1,483,829
1952-53	1,540,979	329,231	1,284,243
1953-54	2,015,635	287,134	1,709,904
1954-55	2,073,062	300,921	1,753,660
1955-56	2,627,190	307,858	2,246,791
1956-57	2,115,602	330,274	2,555,373
1957-58	2,446,629	570,072	3,071,632
1958-59	2,375,079	462,113	4,224,845
1959-60	2,456,018	458,454	4,416,966
1960-61	2,571,483	475,141	5,335,087
1961-62	2,879,766	497,484	5,624,705
1962-63	6,887,831	1,334,620	8,398,796
1963-64	7,602,292	1,923,069	8,035,673
1964-65	7,834,274	2,301,649	8,037,440
1965-66	8,613,635	2,629,427	9,815,546
1966-67	9,918,651	2,510,244	11,557,175
1967-68	11,133,008	3,875,457	13,099,077
1968-69	15,452,306	5,614,568	17,208,625
1969-70	19,224,830	6,637,422	23,383,654
1970-71	19,442,843	5,921,847	24,703,734
1971-72	24,696,729	9,312,576	25,683,434
1972-73	36,423,264	13,236,919	39,964,940
1973-74	41,260,234	14,944,920 [d]	44,486,469
1974-75	46,062,417	15,314,327	56,481,303
1975-76	65,368,118	28,338,000	69,199,232
1976-77	71,668,000	31,771,000	67,604,225
1977-78	84,483,000	43,732,000	78,340,000
1978-79	82,931,000	44,220,000	79,255,000
1979-80	88,442,000	51,251,000	103,839,000

---

a. The source for this appendix is Public Accounts of the Government of the Yukon Territory, known by various titles during this period.

b. This represents all revenues collected by the government including federal grants.

c. The figures beginning with the 1962-63 fiscal year include the amortization payments the Yukon received for capital loans extended by the federal government. In the 1975-76 fiscal year the capital loans were replaced with capital grants.

d. Beginning with the 1973-74 fiscal year, the portion of the federal operating grant that was a grant in lieu of income taxes was identified as a separate item. Because of the difficulty in determining the grant in lieu of income taxes prior to this year, the figures used here include both grants.

APPENDIX VI

YUKON GOVERNMENT EMPLOYEES [a]

1962 - 1979

Year	Permanent Employees	Total Employees [b]
1962-63	295	
1963-64	370	
1964-65	395	
1965-66	416	
1966-67	464	
1967-68	530	
1968-69	613	
1969-70 [c]	668	739
1970-71	732	805
1971-72	817	897
1972-73	1,077	1,206
1973-74	1,106	1,222
1974-75	1,143	1,314
1975-76	1,194	1,376
1976-77	1,281	1,491
1977-78	1,299	1,399
1978-79	1,359	1,460
1979-80	1,396	1,499

---

a. For the period up to and including the 1974-75 fiscal year, the source for this appendix is, Canada, Department of Indian Affairs and Northern Development, Territorial Affairs Division, Northern Development and Territorial Governments: An Overview (March 1974), Appendix 3; for the subsequent period, see Yukon Territory, Main Estimates for each given year.

b. These figures include casuals for the period up to the 1976-77 fiscal year. For the remaining period, the government makes a distinction between person-years provided from the operations and maintenance budget and those funded from capital money; this column represents the total of the two categories.

c. The figures beginning in 1969-70 represent person-years.

BIBLIOGRAPHY

The main source for this history has been the records of the Government of Yukon contained in the Yukon Archives. Records covering the period from the territory's creation to ca. 1953, organized as the Yukon Record Group-1, have been consulted for the early period. Files from the Record Office from ca. 1953 to 1975, known as the Record Office Files, have been used for the subsequent period. Other sources consulted for the preparation of this administrative history are listed below.

GOVERNMENT DOCUMENTS

Alaska - British Columbia - Yukon Conference of Chief Executives. Alaska, British Columbia, Yukon "Heads of Government" Meeting. Whitehorse: n.p., 23 January 1978.

Canada. Department of Indian Affairs and Northern Development. Northern Development and Territorial Governments: An Overview. Ottawa: n.p., 1974.

------. Department of National Health and Welfare. Northern Health Service. Proposed Health Services Plan, Yukon Territory, 1967-72. Ottawa: n.p., March 1966.

------. Interdepartmental Committee on Federal-Territorial Financial Relations. Report of the Yukon Territory, 1962 (revised). Ottawa: n.p., n.d.

Yukon Territory. Committee on Education. Report of the Committee on Education for the Yukon Territory. Whitehorse: n.p., 1960.

Sessional Papers

Canada. Advisory Committee on Northern Development. Government Activities in the North, 1968-1971.

Canada. Department of Industry, Trade and Commerce. Canada Year Book, 1973.

------. Department of Northern Affairs and National Resources. Annual Report of the Department of Northern Affairs and National Resources, 1958-1965.

------. Dominion Bureau of Statistics. Canada Year Book, 1946-1954, 1963-64.

------. House of Commons. Debates, 1948, 1953.

------. Statutes of Canada, 1898-1970

Yukon Territory. *Annual Report of the Commissioner of the Yukon Territory*, 1948-1980.

Yukon Territory. Department of Education. *Annual Report of the Department of Education*, 1970-1978.

---------------. Department of Justice. *Annual Report of the Corrections Branch*, 1977-78.

---------------. Government of Yukon. *News Release*, 1978-1979.

---------------. *Journals of the Council of the Yukon Territory*, 1948-1959.

---------------. *Ordinances of the Yukon Territory*, 1902-1978.

---------------. *Main Estimates of the Government of the Yukon Territory*, 1974-1980.

---------------. *Public Accounts of the Government of the Yukon Territory*, 1948-1967.

---------------. *Revenues and Expenditures of the Government of the Yukon Territory*, 1905-1948.

---------------. *Territorial Accounts of the Government of the Yukon Territory*, 1967-1980.

---------------. *Votes and Proceedings of the Council of the Yukon Territory*, 1948-1974.

---------------. Yukon Legislative Assembly. *Debates and Proceedings*, 1975-1979.

BOOKS, ARTICLES AND THESES

Baker, K.J. "Yukon Roads." *Proceedings of the Arctic Transportation Conference (Yellowknife, December 1970)*. Ottawa: n.p., 1971.

Bush, Edward F. "Commissioners of the Yukon, 1897-1918." *Canadian Historic Sites: Occasional Papers in Archaeology and History - No. 10*. Ottawa: Department of Indian Affairs and Northern Development, Parks Canada, National Historic Parks and Sites Branch, 1974.

Carter, F.A.G., and Phillips, R.A.J. "Organizing for Northern Administration: A Practical Problem in Decentralization." *Canadian Public Administration* 5 (March 1962): 104-116.

Coates, Kenneth, ed. *The Alaska Highway: Papers of the 40th Anniversary Symposium*. Vancouver: University of British Columbia Press, 1985.

Coates, Kenneth. *Canada's Colonies: A History of the Yukon and Northwest Territories*. Toronto: James Lorimer and Company, 1985.

D. William Carr and Associates Limited. *The Yukon Economy: Its Potential for Growth and Continuity*. 8 vols. Ottawa: Department of Indian Affairs and Northern Development, 1968.

Elliot, David. *Some Constitutional Aspects of the Government of the Yukon Territory*. Whitehorse: Yukon Territorial Government, 1978.

Fingland, F.B. "Administrative and Constitutional Changes in Arctic Territories: Canada." In *The Arctic Frontier*, edited by R. St. J. MacDonald, 130-159. Toronto: University of Toronto Press, 1966.

-------------. "Critical Review of Constitutional and Political Development in Northwestern North America - Yukon Territory." Alaska Science Conference: n.p., 1968.

-------------. "Recent Constitutional Developments in the Yukon and Northwest Territories." Reprint from the University of Toronto Law Journal. Toronto: University of Toronto Press, 1964.

Hillson, John D. *Constitutional Development of the Yukon Territory, 1960-1970*. Unpublished M.A. thesis, University of Saskatchewan, Saskatoon, 1973.

Hodgkinson, Ronald Arnold. *Reorganization for Northern Development: Recent Changes in the Administration of the Northwest Territories*. Ottawa: Carleton University, School of Public Administration, 1971.

Johnson, Linda. "Governing in the Yukon." *Proceedings of the Spring Meeting of the Yukon Historical and Museums Association 1 (1981)*. Whitehorse: Government of Yukon, Department of Library and Information Resources, n.d.

Judd, D.A.W. "Canada's Northern Policy: Retrospect and Prospect." *Polar Record* 14 (1969): 593-602.

-------. "Seventy-five years of Resource Administration in Northern Canada.: *Polar Record* 14 (1969): 791-806.

Keenleyside, H.L. "Recent Developments in the Canadian North." *Canadian Geographical Journal* 39 (October 1949): 157-176.

Lingard, C.C. "Arctic Survey: VII. Administration of the Canadian Northland." *Canadian Journal of Economics and Political Science* 12 (February 1946): 45-74.

Lotz, Jim. *Northern Realities: The Future of Northern Development in Canada*. Toronto: New Press, 1970.

Lysyk, Kenneth M. (chairman). Alaska Highway Pipeline Inquiry. Ottawa: Supply and Services, 1977.

McCandless, Robert G. Trophies or Meat: Yukon Game Management, 1896-1976. Whitehorse: n.p., 1976.

Maier, Charles. "Responsible Government and Federal Administrators in Yukon, 1894-1914." Presented to the Canadian Historical Association, Whitehorse, 1983.

Morrison, David R. The Politics of the Yukon Territory, 1898-1909. Toronto: University of Toronto Press, 1968.

Phillips, R.A.J. Canada's North. Toronto: MacMillan, 1967.

Rea, Kenneth J. The Political Economy of the Canadian North. Toronto: University of Toronto Press, 1968.

Robertson, Gordon. "Administration for Development in Northern Canada: The Growth and Evolution of Government." Canadian Public Administration 3 (December 1960): 354-362.

-----------------. Northern Provinces: A Mistaken Goal. Montreal: The Institute for Research on Public Policy, 1985.

Shortt, Ken. Blueprint for Autonomy: 8 Steps to Provincehood. Whitehorse: n.p., 1967.

Smith, James. "The Great Constitutional Crisis, 1966-68." Proceedings of the Spring Meeting of the Yukon Historical and Museums Association 1 (1981). Whitehorse: Government of Yukon, Department of Library and Information Resources, n.d.

Smith, Patricia, and Graham, Garth. "Library Services North of the Sixieth Parallel: The Yukon and Northwest Territories." In Canadian Libraries and their Changing Environment, edited by L.S. Garry and C.S. Garry, 118-141. Downsview, Ontario: York University, 1977.

Touche, Ross, Bailey and Smart. Yukon Territory Taxation Study. n.p., 1968.

Zaslow, Morris. "Recent Constitutional Development in Canada's Northern Territories." Canadian Public Administration 10 (June 1967): 167-180.

MANUSCRIPTS, CORPORATE RECORDS AND SOUND RECORDINGS

Yukon Archives. Manuscript. Frederick Fraser collection. 86/108. Letters from Frederick Fraser to the Yukon Archives, 10 December 1986 and 12 December 1986.

Yukon Archives. Corporate Record. Yukon Fish and Game Association. 78/49. Records of the Yukon Fish and Game Association.

Yukon Archives. Sound Recording. C.B. Harry Murphy collection. Interview with C.B. Harry Murphy by Charles Maier, 31 July 1981. 82/506.

NEWSPAPERS

Dawson Weekly News, 1946-1954, microfilm, Yukon Archives, Whitehorse.

Whitehorse Star, 1948-1986, microfilm and original, Yukon Archives, Whitehorse.

MISCELLANEOUS

C. Pearson to J. Epp, 18 June 1979.

J. Epp to I. Christensen, 9 October 1979.

St. Jean v. Reg. (unreported) S.C.Y.T. Meyer, J., 26 September 1986.